

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55921 of 2024

Arising Out of PS. Case No.-263 Year-2021 Thana- RAGHOPUR District- Vaishali

Om Prakash Ray @ Om Prakash Kumar SON OF SUHAG RAY @ SOHAG
RAI village- Litiyahi, PS- Rusttampur, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Raghapur (Rusttampur O.P.) PS Case NO. 263 of 2021
instituted for the offences under Sections 272, 273, 414 & 34 of
the IPC and Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 240.840
litres of liquor was recovered from a Truck.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the alleged recovery of liquor. The petitioner has two criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted regular bail by this Court *vide* order dated 15-07-2022, passed in Cr. Misc. No. 16175 of 2022.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghapur (Rusttampur O.P.) PS Case NO. 263 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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