

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59641 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- SARAIYA District- Muzaffarpur

Rahul Kumar Son of Subodh Ray R/V-Village -Gopinathpur Doghra, P.S.-
Saraiya, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Saraiya P.S. Case No. 243 of 2024 dated 31.05.2024 registered for the offences punishable u/s 272, 273 and 34 of the I.P.C. and Section 30(a), 36, 41(I) and 41(II) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 711 litres of illicit foreign liquor was recovered from the Orchard.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. The recovery has been made from an open place



which is accessible to anyone. The name of the petitioner was disclosed by the local chawkidar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has three antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 22.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Saraiya P.S. Case No. 243 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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