

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68285 of 2024

Arising Out of PS. Case No.-250 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Gulu Rai @ Golu Rai @ Golu Kumar Rai S/O Ram Narayan Rai Resident of
Chhota Brahampur, P.S- Bhagwan Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtunjay Kumar Tiwary, Advocate

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

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

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bhagwan Bazar P.S. Case No. 250 of 2024 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 20 litres of illicit liquor has been recovered near the house of Baban Das.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner was disclosed on the basis of disclosure made by the co-accused person. No incriminating article has been recovered from the conscious possession of the petitioner.



Learned counsel further submitted that the recovery has been made near the house of one Baban Das. The petitioner has no knowledge and concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

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 weeks 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 Bhagwan Bazar P.S. Case No. 250 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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