

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72536 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Arun Rai @ Arun Ray Son of Late Rajendra Rai Resident of Village-
Belsandi Tara, P.S. - Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bibhutipur PS Case No. 15 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 496.500 liters
liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of liquor. The petitioner is in custody



since 22-05-2024 and has got five criminal antecedents. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court vide order dated 07-05-2024, passed in Cr. Misc. No. 34758 of 2024.

5. Learned A.P.P. 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 and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on 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 Bibhutipur PS Case No. 15 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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