

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73609 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- BARAUNI District- Begusarai

Rajendra Kumar Saw @ Rajendra Saw S/o Sita Ram Saw @ Sita Saw Saw
R/o Jharia, PS- Jharia, Distt- Dhanbad, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, 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 Barauni
P.S. Case No. 120 of 2024 instituted for the offences punishable
under Sections 30(a), 32(2), 32(3), 36, 41 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 3852
litres of liquor was recovered from 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. Learned counsel further submitted
that petitioner is neither the owner nor the driver of the vehicle.



The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 05.08.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted bail by this Bench vide order dated 29.04.2024 passed in Cr. Misc. No. 31949 of 2024.

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, claim based on parity 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 Barauni P.S. Case No. 120 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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