

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77202 of 2024

Arising Out of PS. Case No.-338 Year-2024 Thana- CHIRAIYA District- East Champaran

Manoj Kumar Son of Prahlad Rai @ Pahlad Rai Resident of Village -
Gokhula, P.S. - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

ORAL ORDER

- 228-10-20241. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Chiraiya P.S. Case No. 338 of 2024 instituted for the offences punishable under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023 and 30(a), 41(1) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 113.1 litres of Nepali liquor has been recovered from motorcycle.
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 not the owner of the vehicle. The petitioner has



got no concern with the alleged recovery of liquor. The petitioner is in custody since 28.08.2024 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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 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 Chiraiya P.S. Case No. 338 of 2024.

(Rudra Prakash Mishra, J)

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