

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78984 of 2024**

Arising Out of PS. Case No.-34 Year-2021 Thana- PUSA District- Samastipur

Tejnarayan Rai @ Tejnyan Roy @ Tej Narayan Ray

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2      12-11-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2.      The petitioner seeks bail in connection with  
Pusa P.S. Case No. 34 of 2021 instituted for the offences  
under Section 30(a), 41(1), 41(2), 47 of the Bihar  
Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 2809  
litres of Indian made foreign liquor was recovered from  
truck and pick-up van.

4.      Learned counsel for the petitioner submits that  
the petitioner is innocent and has falsely been implicated in  
the present 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. It is submitted that petitioner is the owner of the vehicle in question. The petitioner is in custody since 24-08.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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, clean antecedent of the petitioner 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pusa P.S. Case No. 34 of 2021., 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 Ranjan/-

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