

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80823 of 2024

Arising Out of PS. Case No.-325 Year-2024 Thana- NADI P.S. District- Patna

1. Birendra Rai @ Virendra Ray S/O Late Daroga Rai Resident of Village Alampur P.S-Nadi District- Patna.
2. Chandan Kumar S/O Birendra Rai @ Birendra Ray Resident of Village Alampur P.S-Nadi District- Patna.
3. Ravi Kumar S/O Arjun Kumar @ Arjun Ray Resident of Village Alampur P.S-Nadi District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with
Nadi PS Case No. 325 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act
and 25(1-B)a, 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that there is
recovery of 69 litres of IMFL and a regular rifle from the
house of the co-accused.

4. Learned counsel for the petitioners submit that
the petitioners are innocent and have falsely been



implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is submitted that recovery is made from the joint house of petitioner no. 2 Chandan Kumar where other family members also reside. It has been alleged by the co-accused Aman Kumar that the alleged rifle is of co-accused Satya Prakash @ Satya. The petitioners are in custody since 06.10.2024. The petitioner no. 2 has got one criminal antecedent and petitioner nos. 1 and 3 have 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners 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 Nadi
PS Case No. 325 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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