

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86771 of 2024

Arising Out of PS. Case No.-339 Year-2017 Thana- MALSALAMI District- Patna

Arvind Rai Son of Gorakh Rai @ Rajendra Rai @ Rajendra Prasad @
Rajendra Ray Resident of Patthar Ghat, Malsalami, PS -Malsalami, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

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

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

ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Malsalami PS Case No. 339 of 2017 instituted for the offences
under Sections 272, 273 of I.P.C and 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 60 litres
of country made liquor was recovered from a bag behind the
house of co-accused.

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 local people disclosed the name of the petitioner. It is further submitted that recovery is made from an open place which is accessible to one and all. The petitioner is in custody since 27.10.2024 and has got three criminal antecedents in which he is on bail. 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 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 Malsalami PS Case No. 339 of 2017.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

