

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85698 of 2024

Arising Out of PS. Case No.-488 Year-2024 Thana- MALSALAMI District- Patna

Dharmendra Rai Son of Giral Rai Resient of Mohalla- Nababganj Bandel
Toli, P.S -Malsalami, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd (APP)

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

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Malsalami PS Case No. 488 of 2024 instituted for the offences
under Sections 30(a) and 37 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 100
litres of country made liquor was recovered from the courtyard
of the petitioner.

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 recovery is made from the joint house of the petitioner where the other family members also reside. The petitioner is in custody since 20.10.2024 and has got two criminal antecedents. There is no compliance of Section 103 of B.N.S.S.

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. 488 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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