

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86801 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- PRATAPGANJ District- Supaul

Devnath Rai @ Devnath Ray Son of Ram Bhagat Rai Resident of Village -
Narkatiya, P.S. - Sonbarsa, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, 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
Pratapganj PS Case No. 178 of 2024 instituted for the offences
under Sections 30(a), 41(1) and 47 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 2037
litres of foreign liquor was recovered from six wheeler tank
lorry.

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 co-driver (khalasi) of the vehicle and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 21.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court vide order dated 16.12.2024 in Cr. Misc. No. 84940 of 2024.

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 Pratapganj PS Case No. 178 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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

