

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7564 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- DERNI BAZAR District- Saran

Jainath Rai @ Jaynath Ray Son of Sri Bhagwan Rai Resident of Village -
Bhuigaon, P.S.- Garkha, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Derni/Derni Bazar P.S. Case No. 174 of 2024, dated 12.08.2024, registered for the offences punishable under Sections 30(a) and 37 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 150 litres of illicit country-made liquor was recovered from the tempo and motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is owner of the seized tempo, despite



the fact that he had sold the same to Pankaj Rai and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has three antecedents as stated in para 3 of the bail petition. The other co-accused person has already been granted bail by this Court vide order dated 18.10.2024, passed in Criminal Misc. No. 74012 of 2024. The petitioner is in custody since 10.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran, in connection with Derni/Derni Bazar P.S. Case No. 174 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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