

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11036 of 2025

Arising Out of PS. Case No.-78 Year-2022 Thana- TAJPUR District- Samastipur

Shyam Sundar Ray @ Shyamsundra Ray, Male, aged about 48 years, S/O Hemnarayan Ray, R/O Village- Maricha, P.S- Halai O.P, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shashank Shekhar, Advocate
For the Opposite Party : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Tajpur P.S. Case No. 78 of 2022 dated 24.02.2022 registered for the offences punishable under Sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per the prosecution case, total 153 litres of foreign liquor is said to have been recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The alleged recovery of illegal liquor was made from the joint house of the petitioner where other family



members are also residing. No incriminating article has been recovered from his possession. There is no statutory compliance of Section 100 of the Cr.P.C. He has no concern with the alleged offence. The petitioner has two criminal antecedents as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 09.01.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, 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 the learned Special Judge, Excise-02, Samastipur in connection with Tajpur P.S. Case No. 78 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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