

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13872 of 2025

Arising Out of PS. Case No.-430 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Chhotu Kumar S/O Late Ram Babu Rai @ Late Ram Babu Rayah @ Late
Rambabu Ray Resident of Village- Dharampur Mahatma Colony, P.S-
Samastipur Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Samastipur Muffasil PS Case No. 430 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 78.750
litres of liquor was recovered from Car and Motorcycle.

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 neither the owner nor the driver of the seized vehicles. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused person namely, Chandan Kumar. The petitioner is in custody since 21.12.2024 and has got three criminal antecedents in which he is on bail. 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 19.12.2024 passed in Cr. Misc. No. 87141 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 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Samastipur Muffasil PS Case No. 430 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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