

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14154 of 2025

Arising Out of PS. Case No.-349 Year-2017 Thana- PATLIPUTRA District- Patna

Jay Prakash Rai@ Jai Prakash, Son of Kishun Dayal Prasad R/o Kurjee,
Balupar, Sadaqat Ashram, P.S.-Patliputra, Patna, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ritik Shah, Advocate
		Mr. Madan Mohan, Advocate
For the State	:	Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Patliputra P.S. Case No. 349 of 2017, dated 17.10.2017 registered for the offences punishable under Sections 279, 427, 307 of the Indian Penal Code and Section 30(a), 38(1)(2), 41(1)(2) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, 20.250 liters of liquor has been recovered from an Alto car bearing registration no. BR-01-DF-6104.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the petitioner neither owner nor was he present on the place of recovery and he is no way connected with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna, in connection with Patliputra P.S. Case No. 349 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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