

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84486 of 2024

Arising Out of PS. Case No.-683 Year-2024 Thana- RAJIVNAGAR District- Patna

Rajnikant Shukla S/O Late Krishna Chandra Shukla R/O Village- Kowari Buzurg, P.S.- Gangabridge, District- Vaishali, and presently residing at Flat No. G/4, Block F, Terrace Gardenia, Shiv Shambhu Nagar, P.S.- Rajeev Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Adv.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Special Case No. 1562 of 2024 arising out of Rajeev Nagar P.S. Case No. 683 of 202 instituted for the offences under Section 30(a)/37 of the Bihar Prohibition and Excise Act and Sections 25(1-b)a/26 of the Arms Act.

3. As per prosecution case, the police has recovered total 200 ml foreign liquor and 5 empty bottles of foreign liquor each of 750 ml and one country made gun from the house of the petitioner. The petitioner was arrested on the



spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the recovered liquor or the country made pistol which have been recovered in the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent,



let the petitioner, abovenamed, 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 Special Case No.
1562 of 2024 arising out of Rajeev Nagar P.S. Case No. 683
of 2024.

(Rudra Prakash Mishra, J)

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