

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89297 of 2024

Arising Out of PS. Case No.-6 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Bhagirath Ray Son of Late Mahavir Ray R/O-Village - Jitwarpur , Police
Station - Samastipur Muffasil , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Dalsingsarai P.S. Case No. 06 of 2020, instituted for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 130.320 liters liquor was recovered from Bolero car.

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. Learned counsel



for the petitioner further submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case as being owner of the said vehicle in question and he had no knowledge regarding the goods being carried in his vehicle. The petitioner is in custody since 19.10.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dalsingsarai P.S. Case No. 06 of 2020.

(Rudra Prakash Mishra, J)

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