

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88665 of 2024

Arising Out of PS. Case No.-416 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Wakil Rai S/O Late Anarsi Rai R/O vill.- Sadha,P.S- Chapra Muffasil, Dist - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

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

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chapra Muffasil P.S. Case No. 416 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 200 litres of liquor has been recovered from plastic bora.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of disclosure made by local *chowkidar*. No incriminating article has been recovered from the conscious possession of the



petitioner rather the recovery has been made from an open place. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 22.08.2024 and has thirteen criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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, *after framing of charge, if not already framed*, 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 Chapra Muffasil P.S. Case No. 416 of 2024.

(Rudra Prakash Mishra, J)

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