

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17738 of 2020

Arising Out of PS. Case No.-7 Year-2019 Thana- MAJORGANJ District- Sitamarhi

Ajay Kumar Das, aged about 22 years, Male Son of Chulahai Das Resident
of Village - Rajepur Tola ward no. 10, P.S. - Suppi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the State : Mr. Md. Arif, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

2 13-05-2020 The matter has been listed and heard *vide* video conferencing in view of the lock-down imposed on account of the COVID-19 pandemic.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Majorganj PS Case No. 07 of 2019 dated 04.01.2019 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

4. It is alleged that the petitioner was connected with recovery of 117 litres of Nepali liquor though he ran away and a co-accused who was arrested took his name.



5. Learned counsel for the petitioner submitted that he has no connection with the said recovery and was not caught at the spot and wrongly he has been implicated and there is no recovery from his possession. It was further submitted that the petitioner has no other criminal antecedent and is in custody since 30.01.2020.

6. Mr. Md. Arif, learned APP submitted that the arrested co-accused has taken the name of the petitioner and he was also involved in the illicit liquor trade.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ 2nd cum Special Judge, Excise Act, Sitamarhi, District- Sitamarhi in Majorganj PS Case No. 07 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead



to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/ P. Kumar

