

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26820 of 2020

Arising Out of PS. Case No.-549 Year-2018 Thana- HILSA District- Nalanda

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AJAY @ ARJUN PRASAD S/o Ramanand Prasad Resident of Village-Katru
Bigha, P.S-Parwalpur, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha

For the Opposite Party/s : Mr.Jagdhar Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 16-12-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Hilsa
P.S. Case No. 549 of 2018, disclosing offence punishable under
Sections 30(a)/38/41 of Bihar Prohibition and Excise Act.

The police are said to have recovered 2052.36 litres of
illicit liquor from a container in a truck. Allegedly, on seeing the
police, the miscreants managed to flee away. The motorcycles
were also recovered left abandoned from the place of
occurrence.

It is submitted on behalf of the petitioner that based
only on information furnished to the police by a spy, as can be
seen from paragraph 274 of the case diary, that the petitioner's
name has surfaced and he has been implicated. It is his



submission that more than 15 months after lodging of the FIR the petitioner's name has been incorporated in the case diary on the basis of so called information furnished by the spy.

I have noticed the statement made in paragraph-3 of the application that the petitioner has criminal antecedent of his involvement in two other cases of similar nature. However, considering the submission that there is absolutely no material against the petitioner except the said information given to the police by a spy, this application is allowed.

Let the petitioner, above-named, 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 learned 3rd Additional Sessions Judge cum Special Judge, Excise, Bihar Sharif, Nalanda in Hilsa P.S. Case No. 549 of 2018.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

(Chakradhari Sharan Singh, J)

Rajesh/-

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