

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3862 of 2020

Arising Out of PS. Case No.-328 Year-2019 Thana- ATRI District- Gaya

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AJAY KUMAR @ AVINASH KUMAR Son of Ganesh Mistri Resident of
Village- Jota, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Atri
P.S. Case No. 328/19 for the offence punishable under Sections
272, 273 of the Indian Penal Code and Section 30(a) (d) of the
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 100 liters of illicit
liquor from the bank of river.

The learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the present case. It
is further submitted that the petitioner is an accused in one case.
It is also submitted that the petitioner is languishing in custody
since 25.10.2019. Lastly, it is submitted that no recovery of
illicit liquor has been made from the conscious possession of



the petitioner.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner coupled with the fact that no recovery of illicit liquor has been made from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Gaya in connection with Atri P.S. Case No. 328 of 2019.

(Mohit Kumar Shah, J)

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