

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28457 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

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AJIT @ AJIT SINGH Son of Late Rupchand Resident of Khalila Prahladpur,
P.S. Samlakha, District- Panipat (Hariyana).

... .. Petitioner

Versus

THE STATE OF BIHR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-10-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms.
Sucheta Yadav, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Kuchaikote P.S. Case No. 35 of 2021
registered for the offences punishable under Sections 30(a), 36,
41(1) of the Bihar Prohibition & Excise Act. The petitioner is in
custody since 27.0.2021. The petitioner has got one criminal
antecedent as stated in paragraph '3' of the present application.

As per the prosecution story, while the informant was
involved in vehicle checking, he intercepted one Ambulance
from which two persons tried to escape but they were caught
and they disclosed their name as Sandeep and Sanjay and



further on their disclosure one Anil was apprehended and said Anil disclosed the name of the petitioner. The informant recovered 483.780 illicit liquor from the said Ambulance.

Learned counsel for the petitioner submits that the petitioner is innocent has been falsely implicated in this case. It is submitted that nothing has been recovered from conscious possession of the petitioner and he has not been seen at the spot. It is further submitted that the co-accused Anil Kumar who has taken the name of the petitioner has been granted bail by this Court in Cr. Misc. No. 23804 of 2021. It is further submitted that the petitioner is accused in one case in which he is on bail.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein submission on behalf of the petitioner that the petitioner's name has been disclosed by co-accused Anil Kumar and said Anil Kumar has been granted privilege of bail by this Court in Cr. Misc. No. 23804 of 2021, the petitioner has one case on his head in which he is said to be on bail and he is in custody in connection with the present since 27.02.2021, investigation against him is complete but the trial is not likely to be concluded in near future, this Court directs release of the



petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise, Gopalganj, in connection with Kuchaikote P.S. Case No. 35 of 2021, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that one of the bailors shall be a permanent resident of the State of Bihar having sufficient means.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

