

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29527 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

AJAY KUMAR Son of Godail Rai Resident of Village - Mithanpura, P.S.-
Ahiyapur, District - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Kumar, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Ahiyapur P.S. Case No. 60/2021, registered for the offence punishable under Sections 272/273/420/467/468/471/34 and Sections 30(a)/36/41 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of illicit liquor from a truck after a raid was conducted by the police and 1782.160 liters of illicit foreign liquor was recovered whereupon the accused persons were arrested from the spot.



The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted by referring to paragraph no. 9 of the present petition that nothing has been recovered from the conscious possession of the petitioner and in fact, the seized vehicle in question also does not belong to the petitioner. The petitioner is stated to be in custody since 28.1.2021, having a clean antecedent.

Per contra, the learned APP for the State, Md. Aslam Ansari, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that similarly situated co-accused persons have already been granted bail by coordinate Benches of this Court vide orders dated 13.8.2021 and 27.8.2021 passed in



Criminal Miscellaneous No. 31253 of 2021 and Criminal Miscellaneous No. 31804 of 2021, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Muzaffarpur in connection with Ahiyapur P.S. Case No. 60/2021.

(Mohit Kumar Shah, J)

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