

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56647 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- SABAUR District- Bhagalpur

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AJAY KUMAR @ CHHANGU Son of Suresh Mandal Resient of Village-
Babupur, P.S.- Sabour, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the

petitioner and the learned APP for the State.

The petitioner seeks regular bail in
connection with Sabour PS case no. 10 of 2021
instituted for the offences punishable under
Sections 413, 414/34 of Indian Penal Code and
30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of
illicit liquor from a motorcycle belonging to the co-
accused persons and as far as the petitioner is
concerned, a stolen motorcycle is alleged to have
been recovered from him when he was
apprehended by the police.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 07.01.2021. The learned counsel for the petitioner has further submitted that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 14.12.2021 passed in Criminal Miscellaneous No. 40578/2021.

Per contra, the learned A.P.P. for the State 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 parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, apart from considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit



the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional District & Sessions Judge IInd-cum-Special Judge, Excise Act, Bhagalpur in connection with Sabour PS case no. 10 of 2021.

(Mohit Kumar Shah, J)

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