

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12906 of 2022

Arising Out of PS. Case No.-404 Year-2021 Thana- NAANPUR District- Sitamarhi

Ajit Kumar S/o- Ram Lal Yadav @ Ram Lala Yadav R/o- At and P.O.-
Mahishoutha, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sita Ram Prasad, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha. I, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Nanpur P.S. Case No. 404 of 2021 registered
for the alleged offences under Sections 30, 30(a), 38 and 41 of
the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that on receipt of secret
information that the petitioner has stored huge quantity of illicit
liquor in his house, the same was raided but the petitioner and
other co-accused person managed to escape from the spot. From
the house and a mini truck parked outside, about 1370.36 liters



of illicit liquor was recovered.

The learned counsel for the petitioner submits that the petitioner has got no concern with the liquor allegedly recovered. He has not been apprehended from the spot and nothing has been recovered from his conscious possession. The truck does not belong to this petitioner. Other co-accused, namely, Md. Asgar and Bhogendra Das have been granted bail by Co-ordinate Benches of this Hon'ble Court vide order dated 09.03.2022 passed in Cr. Misc. No. 8641 of 2022 and vide order dated 11.03.2022 passed in Cr. Misc. No. 10827 of 2022. The petitioner is in custody since 30.12.2021. The charge sheet has also been submitted in this case. The petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer of bail of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has not been apprehended from the spot and other co-accused persons have been granted bail and further considering the period of detention of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Court-II,
Sitamarhi in connection with Nanpur P.S. Case No. 404 of 2021,
subject to the following conditions :

(i) One of the bailors will be a close relative of the
petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the court below.

(iii) In case of absence for three consecutive dates or
in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

ved/-

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