

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49921 of 2022

Arising Out of PS. Case No.-587 Year-2021 Thana- KANTI District- Muzaffarpur

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AJIT KUMAR Son of Bechan Mahto R/V- Barmaipur, P.S- Kanti, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Kanti

P.S. Case No. 587 of 2021 registered for the offences punishable

under Sections 30(a) of the Bihar Prohibition and Excise

Amendment Act.

As per prosecution case, there is alleged recovery

of 2632.320 liters of illegal liquor from a truck in question.

Name of present petitioner has been surfaced on secret

information as the petitioner and others are involved in business

of illicit liquor.

Learned counsel for the petitioner submits that



petitioner is in custody since 02.06.2022. Petitioner bears three criminal antecedents which are not of similar nature and the petitioner is on bail in all cases. Learned counsel further submits that petitioner has falsely been implicated in the present case and he has not committed any offence as alleged in the F.I.R. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is not apprehended on spot. Learned counsel further submits that co-accused Munna Rai alias Munna Kumar has already been granted anticipatory bail vide Cr. Misc. No. 1678 of 2022 by a co-ordinate bench of this Court and the case of present petitioner stands on similar footing

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not apprehended on spot, co-accused has already been granted bail, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No. II, Muzaffarpur in connection with Kanti



P.S. Case No. 587 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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