

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13422 of 2023

Arising Out of PS. Case No.-689 Year-2022 Thana- BARHARA District- Bhojpur

AJIT KUMAR YADAV Son of Late Prithavi Yadav Residtn of village -
Daulatpur, P.S.- Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malti Kumari

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 600 liters of illicit Mahua liquor from a Tata ACE vehicle and the petitioner is said to have apprehended on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor or with the



vehicle in question from where the recovery has been made. No any incriminating article has been recovered from conscious possession of the petitioner. Moreover, similarly situated co-accused namely, Amit Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 3.2.2023 passed in Cr. Misc. No. 66330 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 26.9.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barhara (Krishnagardh) P.S. Case No. 689 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1st, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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