

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26971 of 2023

Arising Out of PS. Case No.-413 Year-2022 Thana- VAISHALI District- Vaishali

AJAY KUMAR @ AJAY RAI S/o- VINOD RAI VILLAGE SAIN PS
VAISHALI BELSAR OP DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection
with Vaishali P.S. Case No.413 of 2022 dated 21.10.2022
registered for the offence(s) punishable under Section(s) 30(a)
and 41(1) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the
learned counsel for the petitioner are that the instant matter
relates to the recovery of 861.45 litres of illicit foreign liquor
and the same is stated to have been recovered from a Scorpio
vehicle but admittedly the petitioner was not arrested on the spot
of recovery and mainly on the basis of some secret information
got by the police regarding the petitioner's involvement he has
been dragged in this case but the said information has no



evidentiary value and petitioner is neither owner nor driver of the said vehicle and he has been languishing in jail since 01.03.2023 and against him the investigation has been completed. Further submission is that the driver and owner of the alleged vehicle have also been made accused in this case.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of investigation against this petitioner and also the facts that the petitioner was not apprehended at the spot of recovery and he has claimed that he is neither owner nor driver of the alleged Scorpio vehicle from which the alleged wine was recovered, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Vaishali P.S. Case No.413 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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