

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34050 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- BHAIKAVSHTHAN District-
Madhubani

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Ajay Kumar @ Aajad son of Sri Harkhu Yadav @ Shravan Kumar Yadav @
Shravan Yadav Village- Tilai Ps- Bhairabsthan Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar
For the Opposite Party/s : Mr. Pushpa Sinha.1

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove
defect (s), as pointed out by the office, if any, within a period of four
weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P
for the State.

The petitioner has preferred this application for grant of
regular bail in connection with Bhairabsthan P.S. Case No. 183 of
2022 (G.R. No. 853 of 2022) dated 01.10.2022 registered for the
offences punishable u/s 34, 420, 467, 468 and 471 and sections 30(a),
32, 36, 41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 1548 litres of illicit
liquor was recovered from the truck and all the co-accused persons
were apprehended on the spot.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused Shivam Thakur. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 13.01.2023 passed in Cr. Misc. No. 63227 of 2022. The petitioner is also accused in one more criminal case in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 04.03.2023.

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged 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 Court concerned, Jhanjharpur, Madhubani in connection with Bhairabsthan P.S. Case No. 183 of 2022 (G.R. No. 853 of 2022).

The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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