

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61134 of 2023**

Arising Out of PS. Case No.-418 Year-2022 Thana- KOCHAS District- Rohtas

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AJAY SINGH @ AJAY KUMAR SINGH SON OF RAM SURAT SINGH  
R/O VILLAGE- BHATPURWA, P.S. DINARA, DISTRICT- ROHTAS AT  
SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Babu Nandan Prasad, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      07-10-2023              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      Petitioner apprehends his arrest in connection with a case  
registered for the offence punishable u/s 30(a) of the Bihar  
Prohibition and Excise Amendment Act-2022.

3.      Altogether 19.47 litres of foreign liquor is said to have  
been recovered from a motorcycle and two persons sitting on  
the motorcycle started fleeing away after leaving the motorcycle  
and fell in the river due to which one accused died by falling in  
the river and one died in course of treatment.

4.      Learned counsel for the petitioner submits that petitioner  
is quite innocent and has not committed any offence as alleged  
in the FIR. Petitioner has been falsely implicated in this case at



the instance of his enemies. His name transpired in this case on the basis that he is the owner of the said motorcycle. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. There is no compliance of section 100 of the Cr.P.C. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00/- (Rupees Five Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kochas P.S. Case No.418 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C,



as also the following conditions.

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid undertaken amount in the Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

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