

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65274 of 2023

Arising Out of PS. Case No.-659 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Ajay Kumar Son Of Ram Dular Village Dugaulli Khurd Ps Badlapur District
Jaunpur (UTTAR Pradesh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in connection with Bhabhua P.S. Case No. 659 of 2023 instituted for the offence under Sections 419, 420, 467, 468, 471 of the Indian Penal Code and Section 30(a), 32(i)(ii), 41(i) of the Bihar Prohibition and Excise Act.

As per FIR, the petitioner was apprehended on the spot and from a Truck bearing Reg. No. UP80GT-6963 total 2274.12 liters illicit liquor of different brands was recovered.

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. He has no concern with the alleged recovery nor vehicle in question belongs to him. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 20.07.2023.

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

The petitioner being driver of the alleged vehicle is directed to deposit a sum of **Rs 20,000/- (Twenty Thousand)** in the District Legal Services Authority of concerned District.

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 Bhabhua P.S. Case No. 659 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Special Judge Excise No.1-cum-Additional District
Judge-IV, Kaimur at Bhabua.

The bail bond of the petitioner shall be accepted
by the learned court below on showing the receipt of
deposit of **Rs. 20,000/- (Rs. Twenty thousand)** by the
petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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