

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72192 of 2022

Arising Out of PS. Case No.-410 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

AJAY RAI @ AJAY KUMAR RAI Son of Goni Ray Resident of village -
Maksudpur, P.S.- Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bochahan P.S. Case No. 410 of 2022, registered for the offence punishable under Sections 30(a), 41(1)(ii), 32 and 36 of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 90 liters of illicit liquor from a car, 9 liters of illicit liquor from a motorcycle and 656 liters of illicit liquor from besides the road and the petitioner was arrested from the said car in question, namely, Hyundai car.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 12.10.2022. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case merely since he is an accused in twelve other cases out of which he is on bail in nine cases.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is a veteran criminal, inasmuch as he is an accused in 11 similar type of cases, apart from one another criminal case and he has been caught red-handed from the car in question from which illicit liquor has been recovered, this Court finds that the complicity of



the petitioner in the alleged crime is writ large from the records, hence, I am not inclined to grant bail to the petitioner herein, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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