

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4012 of 2023

Arising Out of PS. Case No.-894 Year-2022 Thana- AHYAPUR District- Muzaffarpur

Ajay Rai @ Ajay Kumar Rai S/O Goni Ray R/O Village- Maksudpur, P.S.-
Minapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a), 32(ii) (iii), 36, 41(i) of the Bihar Prohibition and Excise Act.

It is a case of recovery of total 1373.360 liters illicit country made liquor from two vehicles. Thereafter, vehicles have been seized and this case has been lodged against this petitioner and other co-accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of secret information. From perusal of the FIR, it appears that illicit liquor recovered from two vehicles which were parked in front



of a temple. Neither petitioner has been arrested on the place of occurrence nor he was identified by any one during course of fleeing away. It is further submitted that the petitioner has no concern with the recovered articles nor from the place of occurrence. He is languishing in judicial custody since 25.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ahiyapur P.S. Case No. 894 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Muzaffarpur.

(Sunil Kumar Panwar, J)

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