

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75036 of 2022

Arising Out of PS. Case No.-878 Year-2022 Thana- AHYAPUR District- Muzaffarpur

AJAY RAI @ AJAY KUMAR RAI Son of Goni Ray R/v- Maksudpur, P.S.-
Minapur, District- 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. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-06-2023 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 sections 30(a), 32(ii) (iii), 36, 41(i) of the Bihar Prohibition and Excise Act.

As per FIR, prosecution case relates to recovery of total 2245.680 liters of illicit foreign liquor from a truck bearing Registration no. UP38T-4748 and the petitioner is said to be indulged in business of illicit liquor.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this present case on the basis of suspicion. The petitioner is neither owner nor driver of the said



vehicle and he has also no concern with the seized illicit liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Except suspicion, nothing has come against the petitioner to connect him with the alleged offence. It is further submitted that the petitioner is languishing in judicial custody since 15.11.2022.

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

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 Ahiyapur P.S. Case No. 878 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-1, Muzaffarpur.

(Sunil Kumar Panwar, J)

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