

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6628 of 2024

Arising Out of PS. Case No.-386 Year-2023 Thana- NADI P.S. District- Patna

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Ajay Kumar Son of Naresh Mistry R/o Mohalla - Kachhi Dargah, P.S. - Nadi,
Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nadi P.S. case No. 386
of 2023 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that at evening
patrolling, on raid, 60 liters mahua liquor was recovered from
the hut.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case merely
on the basis of suspicion. Charge-sheet has been submitted in
this case. The petitioner has got no concern with the alleged
recovery of liquor. No incriminating material has been



recovered from the conscious possession of the petitioner. The petitioner is in custody since 21.11.2023 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nadi P.S. case No. 386 of 2023.

(Rudra Prakash Mishra, J)

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