

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7255 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Ajay Kumar S/O- Baleshwar Paswan R/O- Village- Samaspur, Jafrabad, P.S.-
Nadi, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rail
Bakhtiyarpur (Patna) P.S. Case No.170 of 2023 instituted for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. Prosecution story, in short, is that total 20.670 litres
English liquor was recovered from the possession of this
petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case merely on suspicion. Learned counsel further
submitted that the recovery has been made from the trolley bag



and *pitthu* bag and nothing has been recovered from the conscious possession of the petitioner. He further submitted that petitioner has no concern with the bags from which the recovery of illicit liquor has been made. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.12.2023 and no criminal antecedent. There is no compliance of Section 100 of the 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 Rail Bakhtiyarpur (Patna) P.S. Case No.170 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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