

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11059 of 2024

Arising Out of PS. Case No.-183 Year-2022 Thana- BHAGWANPUR District- Begusarai

Ajay Singh @ Ajay Kumar @ Ajay Kumar Singh S/o Mukhilal Singh R/o Vill
- Badiya, Begusarai, P.S. - Bhagwanpur, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 183 of 2022 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
altogether 1125 liter illegal foreign liquor from the truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has four criminal antecedents out of
which, in three of them, he is on bail as has been stated in
paragraph no.3 of the present bail application. The petitioner is



not named in the F.I.R. and his name has surfaced in this case during investigation. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was not arrested from the spot. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner neither the owner nor driver of the alleged truck. The petitioner is languishing in judicial custody since 28.12.2023.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Bhagwanpur P.S. Case No. 183 of 2022.

(Rudra Prakash Mishra, J)

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