

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15411 of 2024

Arising Out of PS. Case No.-720 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Ajit Chaudhary @ Ajit Kumar S/O Jago Chaudhary @ Late Yogendra Chaudhary R/O Village- Bihta, P.S- Sheikhpura, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Sheikhpura (Hathiyawama O.P) P.S. Case No. 720 of 2023, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 20 liters liquor was recovered from *bathan* of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged



recovery of liquor. It is further submitted that the place of recovery is an open place which is accessible to everyone. The petitioner is in custody since 19.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheikhpura (Hathiyawama O.P) P.S. Case No. 720 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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