

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14610 of 2024

Arising Out of PS. Case No.-87 Year-2023 Thana- AKHODHIGOLA District- Rohtas

Ajit Chaudhary @ Bauna S/o Pappu Ram R/o Village- Baradih (Bararhi) Pull
Musai Tola, P.S.- Akorhi Gola, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy, Adv.

For the Opposite Party/s : Mr.Bisheshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner has earlier moved before this Court with a prayer for anticipatory bail which was dismissed as withdrawn vide order dated 21.12.2023 passed in Cr. Misc. No. 81497 of 2023.

2. The petitioner seeks bail in connection with Akorhi Gola P.S. Case No. 87 of 2023 instituted for the offences under Sections 147, 148, 149, 332, 333, 341, 323, 324, 325, 307, 353, 504 of the Indian Penal Code and Section 30(a)/45 of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, the police has recovered altogether 40 liters of illegal wine (Chulai) from the house of the accused persons. It is further alleged that the accused



persons including the petitioner have assaulted the police party by lathi and bricks.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. It is further stated that the Informant raided the house of the petitioner as well as co-accused Dabloo Chaudhary but, he has not stated that in which house he has recovered Chulai liquor. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the raiding party and the Informant has not recognized anyone. The petitioner has no concern with the seized liquor. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 17.01.2023.

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

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the



petitioner as also the petitioner having no criminal antecedent, 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 Akorhi Gola P.S. Case No. 87 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

