

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17668 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- RAMPUR HARI District- Muzaffarpur

Ajay Kumar Son of Sri Rajkumar Bhagat @ Rajkumar Prasad Resident of
Village-Bishunpur Rupauli, P.S.-Rampur Hari, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rampur Hari P.S. Case No. 34 of 2023, instituted for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 814.32 liters liquor was recovered from the joint hut of the petitioner and other.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present 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 petitioner is not owner of the said hut. The petitioner is in custody since 17.02.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 02.01.2024 passed in Cr. Misc. No. 78326 of 2023 and has been granted bail vide order dated 23.11.2023 passed in Cr. Misc. No. 74778 of 2023. 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 Rampur Hari P.S. Case No. 34 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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