

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32032 of 2024**

Arising Out of PS. Case No.-692 Year-2023 Thana- GARKHA District- Saran

Ajeet Ray @ Ajit Ray Son of Gena Ray Resident of Village - Jilkabad  
Mathiya, P.S. - Garkha, District - Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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

ORAL ORDER

2      29-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Garkha P.S. Case No.  
692 of 2023, instituted for the offences punishable under  
Sections 30(a) and 41(1) of the Bihar Prohibition and Excise  
Act.

3. The prosecution case, in short, is that, 50 liters  
liquor was recovered from barren land.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and 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 the alleged recovery has been made from a barren land which does not belong to the petitioner. Name of the petitioner has transpired on the basis of disclosure made by local chowkidar. The petitioner is in custody since 02.03.2024 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 Garkha P.S. Case No. 692 of 2023.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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