

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44402 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- GARHI District- Jamui

Ajay Yadav @ Ajay Kumar Yadav Son of Naresh Yadav R/O Vill.-
Ketaribank, P.S.- Garhi, Dist.- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Md. Nazir Ansari

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

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Garhi
P.S. Case No. 26 of 2024 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 200 liters
of liquor was recovered from an open field.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article 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 an open place which is



accessible to public at large and petitioner is not the owner of the field. The petitioner is in custody since 25.04.2024 and has one criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence. It is next submitted that the other co-accused has already been granted regular bail by this Court vide order dated 17.05.2024 passed in Cr. Misc. No. 38082 of 2024. There is no compliance of Section 100 of the 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 as well as 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garhi P.S. Case No. 26 of 2024.

(Rudra Prakash Mishra, J)

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