

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56155 of 2024

Arising Out of PS. Case No.-271 Year-2022 Thana- RAGHOPUR District- Vaishali

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Ajai Rai @ Ajay Rai Son Of Shobhit Rai Village- Sukumarpur, Ps- Raghampur
(RUSTAMPUR), Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 100 liters of country made liquor is said to have recovered from the Bhathi of the petitioner. He submits that the petitioner has no concern with the seized liquor. He further submits that there is no compliance of Section 100 of the Cr.P.C. The petitioner has three criminal



antecedents out of three antecedents one is of similar nature as stated in para-3 of the bail application and has been languishing in custody since 27.05.2024.

4. Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection Raghapur (Rustampur O.P.) P.S. Case No. 271 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.



(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

anand/-

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