

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68387 of 2024

Arising Out of PS. Case No.-375 Year-2021 Thana- NAWADA District- Nawada

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Ajit Kumar @ Ajit Yadav @ Rajeev Rai S/o Umesh Yadav R/o Village-
Gondapur, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-09-2024 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the

State.

2. The petitioner seeks bail in connection with

Nawada (Nagar) P.S. Case No. 375 of 2021 registered for

the offence under Sections 33, 34 and 36 of the Excise Act.

3. The accused/petitioner is not named in the

F.I.R. and is in custody since 21.11.2022.

4. The allegation against the petitioner is to involve

in illegal activities of illicit liquor alongwith other co-accused

persons, where after consumption brother of informant died.

5. Learned counsel appearing on behalf of the



petitioner submitted that the name of petitioner surfaced in present case during the course of investigation on the basis of confessional statement of co-accused Arbind Yadav, where no incriminating material recovered/surfaced during the course of investigation to connect this petitioner with present occurrence. It is submitted that as petitioner found involved in 19 cases of similar nature, his name also implicated with present case only on the basis of suspicion, wherein also name of petitioner surfaced on the basis of confessional statement, as of the present case.

6. Learned counsel further submitted that similarly situated co-accused namely, Vidhan Yadav @ Vidhan Kumar has already granted bail by this Court through Cr. Misc. No. 34349/2023 dated 27.06.2023. While concluding the argument, it has been submitted that investigation of this case has already completed, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as save and except confessional statement



of co-accused no incriminating material recovered/surfaced to connect this petitioner with present occurrence of illegal trading of alleged spurious liquor, which cause death of the brother of informant coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.11.2022, accordingly, above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Nawada/concerned court in connection with Nawada Nagar P.S. Case No. 375 of 2021, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of the Bhartiya Nyaya Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

Rajeev/-

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