

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71013 of 2024

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

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

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Pronoti Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nawada (Nagar) P.S. Case No. 602 of 2020 dated 10.07.2020 registered for the offences punishable under sections 30(a), 30(d), 30(g), 33, 41 and 52 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 5000 litres of spirit was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the



co-accuseds, Arvind Yadav and Vidhan Kumar. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that petitioner has no concern with the alleged recovery. The petitioner is not the owner of the seized vehicle. The other co-accused person has already been granted bail by this court *vide* order dated 25.07.2024 passed in Cr. Misc. No. 50166/2024. The petitioner has 20 criminal antecedents out of which he is on bail in three cases whereas he is acquitted in two criminal cases as stated at para. 3 of the bail petition. The petitioner is in custody since 22.12.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Nawada (Nagar) P.S. Case No. 602 of 2020, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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