

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81781 of 2024

Arising Out of PS. Case No.-382 Year-2021 Thana- NAWADA District- Nawada

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Nawada PS Case No. 382 of 2021 instituted for the offences

under Sections 33, 34 and 36 of the Bihar Prohibition and

Excise Act.

3. The prosecution case, in short, is that the

husband of the informant has died due to consumption of

spurious liquor which was purchased from the co-accused.

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 submitted that the name of the petitioner has been transpired on the basis of confessional statement of co-accused (Sushant Dhar). The petitioner was remanded in this case on 29.08.2023 and has got twenty one criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada PS Case No. 382 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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