

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85153 of 2023

Arising Out of PS. Case No.-733 Year-2023 Thana- ARA NAWADA District- Bhojpur

AJAY KUMAR SINGH Son of Mundrika Singh R/o vill - Chandi, P.S. -
Chandi, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a), of the Bihar Prohibition and Excise Act.

3. As per FIR, the petitioner and other accused persons were apprehended on the spot with a Swift car and upon search mobile phones were recovered at the same time search was conducted in a pick-up van and from the alleged pick-up van total 766.80 liter foreign made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case merely on the basis of suspicion. The petitioner has no concern with the alleged recovery or with the co-accused nor from the alleged pick-up van from which liquor has been recovered. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner has got no criminal antecedent. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 5.1.2024 passed in Cr. Misc. No. 84035 of 2023. Moreover, petitioner is languishing in judicial custody since 14.10.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ara Nawada P.S. Case No. 733 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Judge Excise Court-I, Bhojpur at
Ara.

(Sunil Kumar Panwar, J)

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