

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5147 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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Ayush Kumar S/o Jitendra Yadav @ Jitendra Kumar R/o Mohalla-Azad
Chowk Panchwati, Ward No.17, P.S and District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
30 (a) of the Bihar Prohibition & Excise Amendment Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 125.750 liters of liquor from a room alleged to have
been in possession of the petitioner.

4. The learned counsel for the petitioner submits that
the petitioner was not arrested from the spot as such nothing
was recovered from his conscious possession. It is also
submitted that the room does not belong to the petitioner. It is



next submitted that he came to be implicated in the case at the instance of local people but the FIR does not disclose the name of the person, who disclosed the name of the petitioner which cast an aspersion on the case of the prosecution. It is next submitted that the police in mechanical manner investigate and implicate.

5. Learned A.P.P opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs,. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Saharsa in connection with Excise P.S.Case No. 507 of 2023, subject to the conditions laid down under section 438(2) of the Cr. P.C.

(Satyavrat Verma, J)

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