

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86687 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- GARHI District- Jamui

Ajit Kumar @ Rajo Manjhi Son of Raju Yadav R/O Vill-Ketaribank, Ps-Garhi, Dist-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Garhi P.S. Case No. 26 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 200 liters liquor was recovered from an open field.

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. Learned counsel for the petitioner also submits that the alleged recovery has been



made from an open place which is easily accessible to public at large. It is further submitted that name of the petitioner has transpired on the basis of disclosure made by local chaukidar. The petitioner is in custody since 08.10.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garhi P.S. Case No. 26 of 2024.

(Rudra Prakash Mishra, J)

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