

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.226 of 2024

Arising Out of PS. Case No.-486 Year-2023 Thana- HARSIDHI District- East Champaran

Ajay Singh @ Budhai Singh Son of Sukdeo Singh @ Sukadev Singh R/o vill
- Ghorasahan Bairiya, P.S. - Harsidhi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273, 353, 504, 34 of the Indian Penal Code and Section 30(a), 32, 34, 36, 41(i) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, on getting secret information in respect of manufacturing of liquor by nine FIR named and five un-named accused persons in the mango orchard of Sanjay Kumar Singh, police officials reached at the place of occurrence. After chase, four of them were arrested on spot and petitioner and others managed to



escape. On search, some manufacturing apparatus and 350 litres of spirit was recovered. Thereafter, the present FIR with the seizure list.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated other accused persons have already been enlarged on bail by this Court vide order dated 13.10.2023 passed in Cr. Misc. No. 65363 of 2023. He is languishing in judicial custody since 21.11.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above



named petitioner is directed to be enlarged on bail on
furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)
with two sureties of the like amount each to the satisfaction
of the learned Exclusive Special Excise Court no.1,
Motihari, East Champaran in connection with Harsidhi P.S.
Case No. 486 of 2023.

(Sunil Kumar Panwar, J)

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