

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.778 of 2025

Arising Out of PS. Case No.-1191 Year-2024 Thana- Excise P.S. District- Aurangabad

Ajay Kumar @ Bimlesh Ram S/o Late Shivanand Ravidas R/o vill - Baghaura
Toli, Badhai Bigha, P.S. - Madanpur, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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

ORAL ORDER

2 20-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise P.S. case No.
1191/2024, general registration No. 2079/2074 instituted for the
offences under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 80 liters liquor
was recovered from tempo.

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 and the



police due to ulterior motive falsely implicated the petitioner in the present case. It is further submitted that the petitioner is owner-cum- driver of the tempo in question. The petitioner is in custody since 01.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. case No. 1191/2024, general registration No. 2079/2074.

(Rudra Prakash Mishra, J)

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