

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1048 of 2025

Arising Out of PS. Case No.-405 Year-2024 Thana- AMAS District- Gaya

Rajesh Kumar S/o Sri Rajendra Paswan R/o Vill.- Sare, P.S.- Sare, Distt.-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2 28-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Amas
PS Case No. 405 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, co-accused, namely, Anuj
Kumar Sinha, being police officials of Amas Police Station,
Gaya had seized a huge quantity (100 litres) of Indian made
foreign liquor from a car and they had committed breach of trust
with regard to the aforesaid seized liquor and loaded some of
those seized liquor (two cartoons measuring 18 litres) in one
another car with the intention to misappropriate it by calling one
Prashant Kumar.

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. Petitioner is a police official and he has been implicated in this case on extraneous consideration. The petitioner is in custody since 06-12-2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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, clean antecedent of the petitioner 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amas PS Case No. 405 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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