

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7471 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- KATHAIYA District- Muzaffarpur

Ajeet Kumar Son of Arvind Mishra Resident of village - Jasauli, P.S.-
Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 24-03-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Kathaiya Police Station Case No. 235 of 2024,
disclosing offences under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.
3. As per the prosecution case, on 08.12.2024,
informant received confidential information, while he was on
patrolling duty, about illegal liquor traders Binod Rai, Ajeet
Kumar, and Neeraj Kumar storing liquor under Jasauli Pul.
When the police arrived, the accused persons tried to flee away
and succeeded in the same. Upon search, total 51.840 liters of
illicit foreign liquor in six cartons were recovered from near the
bridge. The names of the accused were disclosed by local people
and spy.
4. Learned Counsel for the petitioner submits that



the petitioner has falsely been implicated in the present case on the instance of his village enemies. Petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner but recovery is from near the bridge which is an open space, accessible to everyone. Petitioner has been made accused on the basis of disclosure of his name by spy whose name has not been disclosed by the informant.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has been made accused on the basis of disclosure of his name by spy, recovery is from open space accessible to all and he is not having criminal antecedent of similar nature of offence, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. II, Muzaffarpur, in connection with Kathaiya



Police Station Case No. 235 of 2024, subject to the condition
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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