

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9774 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- Excise P.S. District- Kishanganj

Ajay Roy @ Ajay Ray Son of Sanjay Roy village- Kurhela, ps- Goalpokhar,
Dist- Uttar Dinajpur West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 20-02-2025 Heard Mr. Dilip Kumar Singh, learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 44 of 2025 arising out of Madya Nishedh PS Case No.
40 of 2025 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 total 288
litres of foreign liquor was recovered from Car.

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. It is submitted
that petitioner is the driver of the seized vehicle and he has no



knowledge regarding the nature of goods kept in the vehicle.
The petitioner is in custody since 17.01.2025 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 44 of 2025 arising out of Madya Nisedh P.S Case No. 40 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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