

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9823 of 2025

Arising Out of PS. Case No.-1102 Year-2024 Thana- BIHTA District- Patna

Ajay Kumar @ Ajay Paswan Son of Daroga Paswan Village- Dumri PS-
Bihta District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Special
Excise PS Case No. 4242 of 2022, arising out of Bihta PS Case
No. 1102 of 2024 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 300
litres of country made 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. 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 28.11.2024 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Excise Case No. 4242 of 2024 arising out of Bihta PS Case No. 1102 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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