

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14266 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- BOCHAHAN District- Muzaffarpur

Ajay Kumar (Male), aged about 27 years, S/O Nagendra Chaudhary, R/O Village- Sahila Rampur, P.S- Bochanhan, District -Muzaffarpur presently residing at Village- Hathauri, P.S- Hathauri, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate
For the Opposite Party : Mrs. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bochahan P.S. Case No. 16 of 2025 dated 19.01.2025 registered for the offences punishable under Sections 30(a), 32, 36 and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 3789 litres of foreign liquor is said to have been recovered from one Oil Tanker, three Pick-up Vans and one motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is neither



the owner nor the driver nor the cleaner of the vehicles in question from which illegal liquor was recovered. He has no concern with the alleged offence. No incriminating article has been recovered from his possession. There is no statutory compliance of Section 103 of the B.N.S.S. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 19.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-III, Muzaffarpur in connection with Bochahan P.S. Case No. 16 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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