

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26048 of 2025

Arising Out of PS. Case No.-120 Year-2025 Thana- SAKRA District- Muzaffarpur

Ajit Kumar S/o Yogendar Ray, Resident of Village- Mandaidih, P.S- Patepur,
Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP (In-charge)

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 27-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sakra P.S. Case No. 120 of 2025 dated 09.03.2025 instituted for the offences punishable under Sections 30(a), 32(1)(2), 36 and 41(1)(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, 1647.8 litres of illicit foreign liquor was recovered from a pick up van near Sakra Railway gate.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. Nothing was recovered from the conscious possession of the petitioner and petitioner



has no concern with the alleged recovery. Petitioner is not the owner of the pick up van in question. There was non-compliance of the mandatory procedure prescribed for recovery under Section 103 of the BNSS. Petitioner claims clean antecedent as stated in paragraph no. 3 of the bail petition. Petitioner is in custody since 10.03.2025. He lastly submits that after completion of investigation, chargesheet has been submitted against the petitioner.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Having heard the learned counsel for the parties and considering the facts and circumstances of the case as well as petitioner's period under custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed as yet**. Accordingly, let the petitioner, above-named, 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 the learned Exclusive Special Court Excise-I, Muzaffarpur, in connection with **Sakra P.S. Case No. 120 of 2025**, on further conditions:

(i) One of the bailors should be close relative of the petitioner.



(ii) Petitioner shall cooperate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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