

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29596 of 2025

Arising Out of PS. Case No.-271 Year-2024 Thana- AMBA District- Aurangabad

Ajay Kumar son of Late Sikandra Ram Village- Pipri, Ps- Kutumba, Dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhuresh Singh, Adv.

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

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Amba P.S. Case No. 271 of 2024 registered for the offences
punishable under Sections 30(a) of the Bihar Excise
(Amendment) Act.

3. As per prosecution case, the police has recovered
total 160 liters of illicit country-made liquor from two
motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner was neither apprehended on spot nor anything



incriminating has been recovered from his conscious possession. The petitioner has four criminal antecedents and in all of them, he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has been falsely implicated in this case on the basis of his being the owner of the seized motorcycle. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused have been granted regular bail by this Court vide order dated 05.02.2025 passed in Cr. Misc. No. 4664 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner. He further submits that the petitioner has four criminal antecedents out of which three are of similar nature of offence.

7. Considering the entire facts and circumstances of the case as also there being four criminal antecedents against the petitioner out of which three are of identical nature, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.



8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

