

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33577 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- SARAI RANJAN District- Samastipur

Ajit Kumar Thakur S/o Vinod Kumar Thakur R/o Village- Harilochanpur
Tiswara, PO- Harilochanpur, PS- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate
For the State : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Sarairanjan P.S. Case No. 02 of 2025, registered for the offences punishable under Sections 30(a) of Bihar Prohibition & Excise Act, 2022. Petitioner has clean antecedent.

3. The prosecution case in brief is that an information was received that someone has kept illicit foreign liquor. The police conducted a raid and apprehended one person who disclosed his name as Ashish Kumar and on search total 39.39 liters of foreign liquor was recovered from a hut. The police further seized a motorcycle which was stated by the apprehended person that it belonged to the petitioner.

4. The learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. He further submits that there is no allegation against the petitioner to have possessed the said illegal liquor and merely by the recovery of the motorcycle at the place occurrence, his name has been inserted in the present case. It has further been stated that there is no incriminating article recovered from the conscious possession of the petitioner and there is no independent witness to the seizure list. Lastly, it has been submitted that the petitioner has clean antecedent and he is in custody since 10.04.2025. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- before the Patna High Court Legal Services Committee.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the respective parties and taking into account that no incriminating article has been recovered from the conscious possession of the petitioner, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on deposition of a sum of Rs. 5,000/- to the Patna High Court



Legal Services Committee, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing bail bond and thereafter bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Special Judge Excise Court-2, Samastipur, in connection with Sarairanjan P.S. Case No. 02 of 2025, subject to the following conditions:-

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

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the



above-mentioned order shall not be delayed for purpose of or in
the name of verification.

(Sourendra Pandey, J)

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