

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47237 of 2025**

Arising Out of PS. Case No.-234 Year-2025 Thana- SARAIYA District- Muzaffarpur

Ajay Rai @ Ajay Ram @ Ajay Kumar S/o Bhola Ram @ Bhola Rai R/o  
Village- Chiraiya Damodarpur, P.S- Paru, district- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

2      23-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with Saraiya  
PS Case No. 234 of 2025 instituted for the offences under  
Sections 274, 275, 3(5) of B.N.S. and Sections 30(a), 32(2),  
41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 168.360  
litres of foreign liquor was recovered from Scooty.

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 seized vehicle does not belong to the petitioner. It is further  
submitted that apprehended co-accused persons disclosed the



name of the petitioner. The petitioner is in custody since 04.06.2025 and has got two criminal antecedents in which he is on bail. 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 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 Saraiya PS Case No. 234 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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