

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79268 of 2025**

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

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Ajay Kumar S/O Late Sikandar Ram R/O Vill.- Pipri, P.O.- Ankupa, P.S.-  
Kutumba, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2      14-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Earlier, anticipatory bail of the petitioner has been  
rejected by this Court vide order dated 09.05.2025 passed in Cr.  
Misc. No. 29596 of 2025.

3. The petitioner seeks bail in connection with Amba  
P.S. Case No. 271 of 2024, instituted for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that 160 liters  
liquor was recovered from two motorcycles.

5. 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. Learned counsel for the petitioner also submits that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case as being owner of one of the motorcycle in question and he has got no knowledge with regard to the nature of goods kept in his vehicle. The petitioner is in custody since 07.08.2025 and has got four criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amba P.S. Case No. 271 of 2024, 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)**

Rajorshi/-

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