

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83361 of 2024

Arising Out of PS. Case No.-387 Year-2021 Thana- NAWADA District- Nawada

Ajit Kumar @ Ajit Yadav @ Rajeev Rai, Male, aged about 25 years, Son of Umesh Yadav, Resident of village- Gondapur, P.S.-Nawada and District Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 33, 34 and 36 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, the police on secret information reached the house of one Ramswaroop Yadav and from a vacant land situated on the eastern side, six empty pouches of 200 ML recovered/seized.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case only on the basis of suspicion and the petitioner is not named in the FIR. He further submits that petitioner was neither arrested on the spot nor any incriminating article has been recovered from the conscious possession of the petitioner and the seized recovery



is from the vacant land situated east side of the house of Ramswaroop Yadav. He has been made accused only on the basis of confessional statement of Co-accused Arvind Yadav. Petitioner is in custody since 11.10.2022. He next submits that similarly situated co-accused persons have already been granted bail by this Court.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case that similarly situated co-accused persons namely, Pramod Yadav, Utpal Kant @ Bablu Kumar and Usha Chaudhary @ Usha Devi have been granted bail by this Court in Cr. Misc. Nos. 20200 of 2024, 13372 of 2024 and 37783 of 2024 vide orders dated 12.07.2024, 29.02.2024 and 21.05.2024, respectively, let the above named petitioner 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 learned Exclusive Special Excise Judge-1st, Nawada in connection with Nawada P.S. Case No. 387 of 2021.

(Ramesh Chand Malviya, J)

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