

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13278 of 2026

Arising Out of PS. Case No.-369 Year-2025 Thana- DIDARGANJ District- Patna

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Ajay Kumar S/o Tulsi Rai Resident of Village- Saichak Mahavir Colony, P.S.-
Beur, and District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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

ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Didarganj PS Case No. 369 of 2025 instituted for the offences
under Section/s 30(a), 32(2), 32(3), 36, 41(1) & 41(2) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 7555.68 liters
liquor was recovered from tempo and warehouse, out of which
432 liters was recovered from tempo.

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 name of the petitioner has surfaced in this case as being owner of the vehicle in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 17.12.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 19.01.2026, passed in Cr. Misc. No. 1409 of 2026.

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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Didarganj PS Case No. 369 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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