

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1371 of 2018

Arising Out of PS.Case No. -29 Year- 2017 Thana -KALER District- JEHANABAD

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1. Ajit Kumar, Son of Late Laxman Rai, Resident of Village- Gurudah @
Gausnagar, P.s.- Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Excise Case No. 1115 of 2017 arising out of Kaler P.S. Case No.
29 of 2017 instituted for the offences punishable under Section
30(a) of the Bihar Prohibition & Excise Act, 2016.

The allegation of the prosecution is that the police upon
receipt of secret information went to the place of occurrence and
found a truck, which was parked and from it several bottles of the
illicit liquor were recovered and the driver and Khalasi were also
apprehended. It is further alleged that the driver and Khalasi
disclosed that the owner of the vehicle is one Amit Sharma and the
documents recovered from the said vehicle also showed that the



owner is one Amit Sharma. Further allegation of the prosecution is that the driver and Khalasi disclosed that the co-accused persons including the petitioner herein used to take supply from the said truck.

The learned counsel for the petitioner submits that neither the petitioner is the owner of the said truck nor he has been apprehended from the place of occurrence nor any recovery has been made from the conscious possession of the petitioner. It is further submitted that the petitioner has a clean antecedent and he is languishing in custody since 03.10.2017.

Considering the nature of accusation, the period of custody undergone and the fact that the petitioner is having a clean antecedent, I deem it fit and appropriate to enlarge the petitioner on regular bail. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-II, Jehanabad in connection with Excise Case No. 1115 of 2017 arising out of Kaler P.S. Case No. 29 of 2017.

(Mohit Kumar Shah, J)

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