

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15951 of 2019

Arising Out of PS. Case No.-578 Year-2018 Thana- GARDANIBAG District- Patna

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AMIT KUMAR @ AJAY KUMAR @ AMITABH @ AMITABH KUMAR
Son of Late Ramsewak Rai Resident of Village - Agandhatoli, P.S.- Belaganj,
District- Gaya At present Mohalla - Mithapur Khagaul Road, Bhargaw Saw
Mill Behind, P.S.-Jakkanpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Kumari Sujata Sinha

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-03-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioner. Petitioner is in custody in connection with Gardanibagh PS Case No. 578 of 2018 for the alleged offence punishable under Sections 307/353/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that petitioner tried to kill the police personnel who were engaged in conducting raid. It is further alleged that total 172 liters of liquor was seized from a Tata Safari vehicle. Learned counsel representing the petitioner submits that in the instant case only on suspicion the petitioner



has been implicated. Learned counsel further submits that petitioner is in custody since 27.12.2018.

Considering the fact that no one sustained injury and only liquor was recovered and also the fact that petitioner has remained in custody for more than two-and- a half months, the Court is inclined to grant him bail. However, while granting bail the Court is conscious of the fact that petitioner was made accused in connection with another case under the Excise Act and as such it would be appropriate to release the petitioner on bail on some condition.

This application is allowed accordingly. Let the petitioner above named 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 Additional Special Judge, Excise, Patna in connection with Gardanibagh PS Case No. 578 of 2018 subject to the condition that one of the bailors should be the elected representative of the local body.

(Anil Kumar Upadhyay, J)

mrl./-

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