

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24776 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- GARKHA District- Saran

Amit Kumar Son of Lukesh Kumar Singh @ Lokesh Singh Resident of
village- Garkha, Police Station- Garkha, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh, (APP)

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

17-04-2019

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner apprehends his arrest in connection
with Garkha P.S. Case no. 140 of 2019 registered under Section
30(a) of Bihar Prohibition & Excise Act-2016 and Section 414
of the Indian Penal Code.

3.510 lts. of foreign liquor, cash of Rs. 2,19,900/-
and motorcycle are said to have been recovered from the house
of Balbir Kumar and petitioner and other accused persons are
said to have managed to escape. The aforesaid Balbir Kumar
was apprehended, who disclosed the name of the petitioner and
other accused persons as his fleeing accomplices in the trade of
liquor.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either



with the seized articles or with any trade of liquor. There is nothing on record indicating the complicity of the petitioner in the occurrence barring the disclosure made by the apprehended accused Balbir Kumar. Said Balbir Kumar has named the petitioner in the occurrence due to animosity as brother of the petitioner has lodged the FIR against mother and brother of said Balbir Kumar preceding to the occurrence. Petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. IXth, Saran at Chapra in connection with Garkha P.S. Case no. 140 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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