

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69888 of 2019

Arising Out of PS. Case No.-217 Year-2019 Thana- SONBERSA District- Sitamarhi

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AMLESH KUMAR S/O Ram Daresh Rai R/o- Village Jai Nagar @ Jaynagar,
P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Sonbarsa P.S. Case No. 217 of 2019, disclosing the offence
under Section 414 of the Indian Penal Code and Section 30(A)
of Bihar Prohibition and Excise Act, 2018.

The Police are said to have recovered 270-300 liters
of illicit liquor from near the house of the petitioner. The
petitioner, his father and other family members have been made
accused in the First Information Report.

Learned counsel appearing on behalf of the petitioner
has submitted that the recovery in question cannot be said to
have been made from the conscious possession of the petitioner



as admittedly the same was neither recovered from his personal possession nor from the house belonging to the petitioner. The petitioner is in custody since 16.09.2019.

Considering the facts and circumstances of the case and the nature of accusation as explained above, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi**, in connection with **Sonbarsa P.S. Case No. 217 of 2019**, subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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