

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71377 of 2019

Arising Out of PS. Case No.-420 Year-2019 Thana- ISLAMPUR District- Nalanda

RAMESH KUMAR @ SUNIL KUMAR S/o Arbind Prasad R/o village-
Rupaspur, P.S.- Khudaganj, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Pronoti Singh

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

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered under Section 30(a) of the Excise Act.

46.500 litres of foreign liquor is said to have been
recovered from the road located in front of the house of Rohit
Kumar, which is said to have been unloaded there from a
vehicle by some accused persons. Co-accused Vikash Kumar
was apprehended who disclosed the name of the petitioner and
two other named accused persons as the supplier of the said
liquor.

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



concern either with the seized liquor or vehicle in question or place of recovery or any trade of liquor. There is nothing cogent on record indicating the complicity of the petitioner in the occurrence barring the disclosure made by the apprehended accused Vikash Kumar due to animosity. No offence under Excise Act is made out against the petitioner. He has no criminal antecedent. Said Vikash Kumar has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 21.10.2019 passed in Cr. Misc. No. 65719 of 2019.

Having regard to 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 six 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 the learned A.D.J.-III, Nalanda at Biharsharif in connection with Islampur P.S. Case No. 420 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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