

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83107 of 2019

Arising Out of PS. Case No.-208 Year-2019 Thana- DARBHANGA GRP CASE District-
Darbhanga

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Amit Kumar Sah (Male) aged about 19 years, s/o Jawahar Sah, Resident of
Village - Kharari, Ward No.10, P.S.- Hayaghat, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 20-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Darbhanga Rail PS Case No.208 of 2019 dated 17.11.2019
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. As alleged, from the bag of the petitioner which he
was carrying in the train, 29.4 litres of illicit liquor has been
recovered.

4. Learned counsel for the petitioner submitted that
the bag did not belong to the petitioner and just because he was
also travelling in the same compartment, he has been falsely
implicated. It was further submitted that he is in custody since
17.11.2019 having clean antecedent.

5. Learned APP submitted that from the bag of the



petitioner illicit liquor has been recovered.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge cum Special Judge, (Excise), Darbhanga, in Darbhanga Rail PS Case No.208 of 2019, subject to the conditions (i) that one of the bailors shall be close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off.

(Ahsanuddin Amanullah, J)

J. Alam/-

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