

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3685 of 2020

Arising Out of PS. Case No.-57 Year-2019 Thana- KHODAWANDPUR District- Begusarai

Amar Kumar Singh S/o Ram Krishna Singh, Resident of Village- Parihara,
P.S.- Bakhri, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Khodawandpur P.S. Case No. 57 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that nothing has been recovered from the possession of the petitioner and the petitioner has been made accused in this case on the basis that he was the owner of the vehicle but the petitioner has not been arrested from the said vehicle. The petitioner is in custody since 30.11.2019 having no criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case that though the petitioner is said to be the owner of the vehicle from which the illicit liquor has been allegedly recovered, he has not been arrested from the said vehicle, he has no criminal antecedent and has remained in custody since 30.11.2019, let on completion of the statutory period of investigation the petitioner above named be released on bail in connection with Khodwandpur P.S. Case No. 57 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Begusarai, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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