

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21164 of 2020**

Arising Out of PS. Case No.-116 Year-2020 Thana- BEGUSARAI MUFFASIL
District- Begusarai

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Amit Kumar S/o Sudhir Rai @ Pramod Rai Resident of Village-Rajaura-
Bakri Gachhi, P.S.-Begusarai Muffasil, District-Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 30-06-2020

Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately after the lockdown ends, and in any event within one month thereof.

2. The petitioner is in custody since 05.03.2020 in connection with Begusarai Muffasil P.S. Case No. 116 of 2020 for the offences alleged under Section 120(B) of the Indian Penal Code and Sections 30(a)/32 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of illegal wine from a truck (2654.385 litres), a pick-up van (95.040 litres) and a white Alto car (201 litres). The petitioner has not been arrested at the spot and the petitioner's name has surfaced on the extra judicial confessional statement of co-accused Vinod Kumar Singh @ Bablu, stating that the Alto car was brought by the petitioner. Except such statement, there is no objective material to connect the petitioner with the alleged occurrence. The petitioner denies



any concern with the wine and vehicles seized. No incriminating goods have been recovered from the conscious possession of the petitioner, who claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 05.03.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge II cum Special Judge, Excise Act, Begusarai in connection with Begusarai Muffasil P.S. Case No. 116 of 2020, if he is not otherwise required in any other case.

6. Office shall ensure that all defects have been removed and compliance with the notices of this Court has been made, within the stipulated time as provided in para-1 hereinabove.

(Vikash Jain, J)

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