

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32164 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- KHUDWA District- Aurangabad

SITY KUMAR S/O RAM SAKAL SINGH R/o village- Ekauna, P.S.- Obra,
District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate
Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks regular bail in connection with
Khudwa P.S. Case No. 03 of 2021 registered for the offence
under Section 30 (a) of the Bihar Prohibition and Excise
(Amendment) Act 2018.

The allegation is that the motorcycle on which the
petitioner was travelling was intercepted by the Police and the
persons riding on the motorcycle including the petitioner
started fleeing away however, upon chase one co-accused /
Pramod Kumar was arrested and the petitioner succeeded in
fleeing away. 12.300 liters of country made liquor was
recovered from the said motorcycle.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of
the statement made by the co-accused. He next submits that



illicit liquor has not been recovered from the conscious possession and / or vehicle belonging to the petitioner and the owner of the vehicle is one Navlesh Kumar which has come during the course of investigation. He next submits that petitioner is in custody since 19/02/2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 19-02-2021, no illicit liquor has been recovered from his conscious possession or the vehicle belonging to the petitioner and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise, Aurangabad in connection with Khudwa P.S. Case No. 03 of 2021.

praful/-

(Anil Kumar Sinha, J)

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