

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36944 of 2021

Arising Out of PS. Case No.-405 Year-2019 Thana- LALGANJ District- Vaishali

AMRESH KUMAR S/o Ram Naresh Rai R/o village- Salempur, P.S.-
Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Lalganj P.S. Case No. 405 of 2019 for the offence registered
under Section 30(A) of the Bihar Prohibition and Excise Act,
2016.

The allegation is regarding recovery of 200 litres of
illicit liquor from a river bank.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the present
case and he is languishing in custody since 12.02.2021. The learned
counsel for the petitioner has further submitted that the name of the
petitioner has transpired upon disclosure having been made by the
arrested co-accused person namely Raj Narayan. It is next
submitted that similarly situated co-accused persons have already



been granted bail by the orders passed by coordinate Benches of this Court vide order dated 20.01.2020 passed in Criminal Misc. No. 162 of 2020 and order dated 16.11.2021 passed in Criminal Misc. No. 9770 of 2021.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 405 of 2019.

(Mohit Kumar Shah, J)

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