

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49586 of 2021**

Arising Out of PS. Case No.-49 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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KUNDAN KUMAR S/o- AMOD KUMAR @ AMOD RAY Resident of
Village- Rikabganj Check Post Didarganj, Police Station- Malsalami, Dist-
Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

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

The petitioner seeks regular bail in connection with
Special Case No. 3739 of 2021 arising out of P.R. Agamkuan
P.S. Case No. 49 of 2021, registered for the offence punishable
under Section 30(a), 32(1), 32(3), 41(1) & 41(2) of the Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 200 liters of
illicit liquor from two motorcycles and the petitioner is stated
to have been driving one of them.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is



languishing in custody since 23.6.2021.

Per contra, the learned APP 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 period of incarceration, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Special Case No. 3739 of 2021 (arising out of P.R. Alamganj P.S. Case No. 49 of 2021).

(Mohit Kumar Shah, J)

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