

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37990 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- AMBA District- Aurangabad

SHRIKANT KUMAR S/o Jagdish Yadav Resident of Village-Parmeshwari,
P.S.-Mali, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2021 Heard the learned counsel for the petitioner and
Sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Amba PS case no. 74 of 2020 instituted for the offences punishable under Section 30(a) Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 120 liters of illicit liquor from a Maruti Alto car.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 04.09.2020. The learned counsel for the petitioner, by referring to paragraph no. 8 of the present petition, has submitted that the petitioner is neither the driver nor the owner



of the vehicle in question, from which illicit liquor has been recovered, hence the petitioner is not having any complicity in the matter.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that the Alto car from which illicit liquor has been recovered does not belong to the petitioner and moreover, the petitioner is languishing in custody since 04.09.2020, I deem it fit and proper to enlarge the abovenamed petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional District and Sessions Judge-VII-cum-Special Judge (Excise) Aurangabad in connection with Amba PS case no. 74 of 2020.

(Mohit Kumar Shah, J)

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