

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40704 of 2020

Arising Out of PS. Case No.-234 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Sanjay Kumar Kamat S/o Bisheshwar Kamat R/o Village- Gajhara, Ward No.-
9, P.S.- Marauna District- Supaul

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Digvijay Narayan Singh
For the Opposite Party/s : Mr.Awdhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 24-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Excise Case No. 234 of
2020 registered for the offence under Section 30(A) of Bihar
Prohibition and Excise Act, 2016.

139.875 liters of illegal wine has been recovered from
a Maruti Swift Car during search and this petitioner alongwith
other co-accused were arrested on the spot.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of petitioner. It is
further submitted that petitioner has been falsely implicated in
this case simply because he is owner of the vehicle. Vehicle in
question was being driven by driver and he was carrying
aforesaid liquor in the vehicle and petitioner had no knowledge
about the seized consignment. It is stated in paragraph – 3 that



petitioner has no criminal antecedent and he is in custody since 03.09.2020.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 District and Sessions Judge-II, Gopalganj in connection with Excise Case No. 234 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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