

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56633 of 2021

Arising Out of PS. Case No.-295 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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ARVIND KUMAR @ ARVIND RAY SON OF ANIL KUMAR RESIDENT
OF VILLAGE- RIKABGANJ, KATRA BAZAR, POLICE STATION-
MALSALAMI, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 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. 1637/2021 arising out of P.R. Agamkuan Case No. 295/2021, registered for the offence punishable under Section 30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 100 liters of illicit liquor from a tempo and the petitioner was found sitting on the back side of the said tempo.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 6.3.2021. The learned counsel for the petitioner has further submitted by referring to paragraph no. 7 of the present petition that the petitioner is not the owner of the tempo in question and he has got nothing to do with the seized illicit liquor.

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 fact that the petitioner is not the owner of the tempo in question and he is languishing in custody since 6.3.2021, 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. 1637/2021 arising out of P.R. Agamkuan Case No. 295/2021.

(Mohit Kumar Shah, J)

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