

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39326 of 2020

Arising Out of PS. Case No.-160 Year-2020 Thana- KOCHAS District- Rohtas

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AMARENDRA KUMAR SINGH @ AMRENDRA KUMAR S/o
Brajbhushan Singh R/o village- Bichhiaon, P.S.- Sandesh, Distt.- Bhojpur
(Ara)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bijay Shankar Choubey, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-02-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Kochas PS Case No. 160 of 2020 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Since 20.8.2020 the petitioner is in custody in connection with alleged recovery of 149.75 liters liquor from the car, in which he was travelling along with co-accused.

Learned Counsel for the petitioner submits that it is a case of false implication. Co-accused, who has been travelling with the petitioner, has already been allowed bail vide Cr. Misc. No. 33766 of 2020. The prosecution case is on extraneous consideration. The recovery is not in accordance with law.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and



circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise, Rohtas, Sasaram in Kochas PS Case No. 160 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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