

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2582 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- AMAS District- Gaya

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AJIT KUMAR SON OF SRI DEVNANDAN PRASAD RESIDENT OF
VILLAGE - CHANDA, POLICE STATION - BARACHATTI, DISTRICT -
GAYA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate
For the Opposite Party/s : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-06-2021 Heard Mr. Manish Kumar No.2, learned counsel for

the petitioner and Mr. Chandrasen Prasad Singh, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner seeks regular bail in connection with Amas
P.S. Case No. 71 of 2020 (CIS 623/2020) registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation as per the First Information Report is
that the Police intercepted one Alto Car and upon seeing the
Police Party the person who was driving the Car fled away.
However, the Police recovered a total quantity of 400 litres of
illicit country made liquor from the Car and made the owner of



the Alto Car as an accused.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the case. Learned counsel further submits that the petitioner is not the owner of the car in question from where the illicit liquor was recovered. Learned counsel also submits that the fact of the matter is that the Police on the basis of registration number of the Car traced the registered owner namely, Manohar Prasad Keshari who disclosed before the Police that the said Car was sold by him in favour of the petitioner and, thereafter, the petitioner has been dragged in this case. Learned counsel next submits that no illicit liquor has been recovered either from conscious possession of the petitioner or the vehicle belonging to him. The petitioner is in custody since 19.8.2020 and he has got no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the illicit liquor was not recovered from conscious possession of the petitioner and he is in custody since 19.8.2020 having no criminal antecedent, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Amas P.S. Case No. 71 of 2020 (CIS 623/2020).

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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