

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4885 of 2021

Arising Out of PS. Case No.-32 Year-2020 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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AMITABH KUMAR @ AMITABH BACHCHAN RAI @ AMITABH RAI
@ AMITABH RAY Son of Sri Upendra Rai Resident of Village - Terasia
Diar, Pillar No. 24, P.S. Ganga Bridge, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Ms. Vaishnavi Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Industrial Area P.S. Case
No. 32 of 2020, registered for the offence punishable punishable
under Section 30(a), 41(i) of the Bihar Prohibition and Excise
Act, 2018.

On secret information raid was conducted and
3603.54 litres of foreign liquor has been recovered from a ten
wheeler truck parked by the side of road. Co-accused Sanjeev
Kumar @ Pahari being liner and Jasbir Singh being driver of the
vehicle were arrested on the spot.

It is submitted that no recovery has been made from



conscious possession of this petitioner. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Sanjeev Kumar @ Pahari. Petitioner is neither driver nor owner of the vehicle in question and has no concern with the seized liquor. Petitioner is in custody since 08.10.2020. Chargesheet has already been submitted. In para 3 of the petition, it is stated that petitioner is accused in 06 cases and in all the cases he is on bail.

Considering the fact that no recovery has been made from conscious possession of the petitioner and he is neither owner nor driver of the vehicle in question, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Excise Court, Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 32 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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