

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68308 of 2021

Arising Out of PS. Case No.-19 Year-2021 Thana- SIMRA District- Aurangabad

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AMIT KUMAR, aged about 29 years, (Male), Son of Thakur Chand Noniya,
Resident of Village - Thakurbari Road, Shiv Sthan, Ward No.28, Shahpur,
P.s.- Aurangabad Town, Distt.- Aurangabad (Bihar)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mrs. Leelawati Kumari, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Simra P.S. Case No. 19/2021 for the offence registered
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The prosecution story, in brief, is that total 177.90
liters wine is recovered from four different Motorcycles.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 177.90 liters wine is recovered from four different Motorcycles. Out of which, 60 liters wine is said to have been recovered from the Motorcycle of the petitioner bearing Registration No. BR26F1858. The said Motorcycle was given by the petitioner to his nephew, namely, Deepak Kumar, for his personal use. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, (Excise), Aurangabad, (Bihar) in connection with



Simra P.S. Case No. 19/2021, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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