

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4417 of 2022

Arising Out of PS. Case No.-417 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

=====

AMIT KUMAR Son of Ramnandan Chourasiya @ Ramanand Raut Resident
of Village - Sirsiya, P.s.- Bela, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Subodh Kumar

For the Opposite Party/s : Mr. Madan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with C2
Case No. 417 / 2021 instituted for the offence under Section 30
(a) of the Bihar Prohibition and Excise (Amendment) Act 2018.

As per prosecution report some people carrying jute
bags on their cycle were coming from Nepal and upon seeing
the police party the accused persons started fleeing away after
leaving cycle and jute bags, however, petitioner was
apprehended by SSB personnel and 390 liters of Nepali Saufi
Wine has been recovered.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case by the police with oblique motive. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioner. Learned counsel also submits that the cycle in question does not belong to the petitioner. Learned counsel next submits that during search and seizure procedures prescribed under the Excise Act have not been followed. Learned counsel next submits that petitioner has clean antecedent, he is in custody since 02-09-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner has clean antecedent, he is in custody since 02.09.2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge II –



cum - Special Judge (Excise), Sitamarhi in connection with C2
Case No. 417 / 2021.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

