

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7555 of 2022

Arising Out of PS. Case No.-798 Year-2021 Thana- FATUA District- Patna

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AMAR GOP @ AMARNATH KUMAR S/o Jugeshwar Rai Residing at
Kripal Tola, P.S.- Nadi, Distt.- Patna

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kumar Goutam

For the Opposite Party/s : Mr.Nand Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-05-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the stamp reporter within

one month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in

connection with Special Case No. 6777 of 2021 arising out of

Fatuha P.S. Case No. 798 of 2021, registered for the offences

punishable under Section 30 (A) and 56 (C) of the Bihar

Prohibition and Excise Act.

Learned counsel for the petitioner has submitted

that 1979.280 litres of Indian made foreign liquor was recovered

from the shop of the co-accused Ram Sohawan Kumar @



Ramsohavan Kumar. He was apprehended when he was trying to flee away from the shop.

Learned counsel for the petitioner has submitted that the petitioner was not apprehended at the spot. Nothing was recovered from his possession. His name has figured in confessional statement of Ram Sohawan Kumar who has been granted bail in Cr. Misc No. 7722 of 2022 vide order dated 20.05.2022. The petitioner is under custody since 20.10.2021.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned court of Special Judge Excise, Patna City (Patna) in connection with Fatuha P.S. Case No. 798 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application



before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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