

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8019 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- SAMASTIPUR District- Samastipur

AMIT KUMAR KARN @ CHHOTU LALLA Son of Late Chandrashekhar
Lal Resident of Village- Adarsh Nagar, Ward No.-04, Police Station-
Samastipur (Muffasil), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise
Act.

Recovery is of 103.215 liters of foreign liquor.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that according to
the F.I.R. and the seizure list, 750 M.L. foreign liquor has
been recovered from the possession of the petitioner and on
the basis of disclosure made by the petitioner, altogether



103.215 liters of foreign liquor has been made from the house of the co-accused, Amit Kumar. This petitioner has no concern with the alleged recovery. He further submits that similarly situated co-accused, namely, Sangeeta Kumari @ Sangita Devi has already been granted bail by a co-ordinate Bench of this Court vide order dated 26.05.2022 passed in Cr. Misc. No. 12419 of 2022. The petitioner is rotting in judicial custody since 11.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Samastipur (Town) P.S. Case No. 11 of 2022 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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