

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11771 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- LAUKAHA District- Madhubani

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AMIT KUMAR SINGH SON OF KRISHNA KANT SINGH @ RAM BABU
SINGH R/O VILLAGE- LAXMIPUR, P.S.- LAUKHA, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Ms.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Laukha Police Station Case No. 223 of 2021, registered for the
offence punishable under Sections 414/272/273 of the Indian
Penal Code, Section 30 (a) of the Bihar Prohibition and Excise
Act, 2016 and Section 7 of the Essential Commodities Act.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information,
recovered 90 litres of illicit Nepali beer and 60 litres of Nepali
diesel from one pick-up van.

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



and he has falsely been implicated in this case with oblique motive. He further submits that the name of the petitioner has been disclosed by the local people. He further submits that the petitioner is neither the owner nor the driver of the pick-up van and no illicit liquor has been recovered from the conscious possession of the petitioner and/or vehicle belonging to him. He further submits that the petitioner is in custody since 26.11.2021, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the petitioner is neither the owner nor the driver of the pick-up van, no illicit liquor has been recovered from the conscious possession and/or vehicle belonging to the petitioner, charge sheet has already been submitted and the petitioner is in custody since 26.11.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty



thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Madhubani, in connection with Laukha Police Station Case No. 223 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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