

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35237 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- KISHANGANJ District- Kishanganj

AMIT KUMAR S/o Shree Ashok Ganya Resident of Village- Baidachak,
Ward no.10,P.s.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State
through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with P.R. Case
No. 107 of 2022 registered for the offence under Section 30(a),
32(3) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the prosecution
report and is in custody since 27.03.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 132.12 litres of IMFL.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is driver and owner of the alleged car.



It is submitted that petitioner has been falsely implicated in the present case, and seizure list is not supported by independent witnesses which appears to be in violation of Section 100(4) of Cr.P.C. It is submitted that petitioner is a man of clean antecedent. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list is disputed, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with P.R. Case No. 107 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge IV-cum-Special Judge (Excise), Kishanganj/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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