

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44111 of 2021**

Arising Out of PS. Case No.-132 Year-2021 Thana- DARIYAPUR District- Saran

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KAMAL KUMAR Son of Late Rajeshwar Rai Resident of Village- Etawa  
English, P.S.- Dariyapur, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                                                        |
|----------------------|---|------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ramakant Sharma, Sr. Advocate<br>Mr. Lakshmi Kant Sharma, Advocate |
| For the State        | : | Mr. Vinod Kumar, APP                                                   |
| For the Informant    | : | Mr. Nand Kumar, Advocate                                               |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      24-01-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 413 and 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, from the possession of this petitioner a stolen motorcycle was recovered. Liquor is said to have been recovered from the possession of co-accused Govind Rai.

It is submitted by learned senior counsel appearing for the petitioner that no incriminating article has been recovered



from the petitioner's possession. He has been falsely implicated in the case. The petitioner is in custody since 19.3.2021 and has no criminal antecedent under the Bihar Prohibition and Excise Act, 2016.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016 and having remained in custody for over 10 months, the Court directs the petitioner to be enlarged on bail in connection with Dariyapur P.S. Case no. 132 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Saran.

**(Partha Sarthy, J)**

Prakash/-

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