

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37846 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- KHODAWANDPUR District- Begusarai

Amarjeet Kumar @ Amarjeet Kumar Das Son Of Rajesh Das R/O Village-
Baluaha, P.S.- Kodawandpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Adv

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Khodawandpur P.S. Case No. 21 of 2021 for the offences
punishable under Sections 188, 272, 273, 120B of the Indian
Penal Code and section 30(a) of the Bihar Excise (Prohibition)
Amendment Act.

The allegation against the petitioner is to be engaged
in trade of illicit liquor on search total 422.22 foreign made
liquor was recovered from an orchard and a car bearing
registration number WB02X5902 and the name of the petitioner
has been disclosed by the co-accused Milan Kumar, who was



apprehended at the spot.

Learned counsel for the petitioner submits that petitioner is neither apprehended at the spot nor any incriminating material was recovered from person or possession of the petitioner. He next submits that the name of the petitioner has been disclosed by co-accused, who was apprehended at the spot and save and except the disclosure made by co-accused person, there is no other material. He next submits that petitioner is having fair antecedent is in custody since 19.04.2022 and moreover investigation of the crime is already completed and the charge sheet has submitted. He last submits that other co-accused having similar allegation have already been granted bail by this Court.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Regard being had to the facts that the petitioner is neither apprehended on the spot nor any incriminating material was recovered and other co-accused having identical allegation have already been granted bail, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge -I, Begusarai in



connection with Khodawandpur P.S.Case No. 21 of 2021
subject to the condition that one of the bailors will be the close
relatives of the petitioner with further conditions which are as
follows:-

(i) The petitioner will cooperate in conclusion of the
trial.

(ii) He will remain present on each and every date of
trial till disposal of the case.

(iii) He will not try to tamper with the evidence or
intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates
without any cogent reason, his bail bonds will liable to be
cancelled.

(Harish Kumar, J)

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