

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51449 of 2021**

Arising Out of PS. Case No.-662 Year-2020 Thana- KUDHNI District- Muzaffarpur

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AMALESH KUMAR @ AMALESH SINGH S/o KAILASH SINGH R/o
VILLAGE-DUBIYAH, P.S- KUDHANI, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 99 litres of liquor was recovered from the *bathan* belonging to the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedents. No incriminating article has been recovered from his possession. The alleged place of recovery ie the *bathan* is at some distance and is accessible to all. The petitioner is in custody since 22.6.2021. It is further submitted that a supplementary affidavit has been filed in view of the error committed in paragraph no. 3 of the petition as the



petitioner is accused in two cases 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 having antecedents under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody.

(Partha Sarthy, J)

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