

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52183 of 2021

Arising Out of PS. Case No.-179 Year-2021 Thana- AMNAUR District- Saran

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KAMESHWAR RAI @ KAMESHWAR RAY S/O LATE RAMDATT RAI
R/o village- Bishunpur Piprahi, P.S.- Amnour, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with
Amnour P.S. Case No. 179/2021 registered for the offences
punishable under Sections 272, 273, 34 of the Indian Penal
Code 1860 and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation, as per the First Information
Report, is that the Police got information that some persons
were indulged in selling illicit liquor, proceeded towards the
place of occurrence and upon seeing the Police Party three
persons started fleeing away. However, the petitioner was



arrested and two persons succeeded in fleeing away. On search, a total quantity of 79.800 litres of illicit country made liquor was recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case with oblique motive. He further submits that from perusal of the seizure list, it would be evident that place of recovery of illicit liquor is from the village road situated near the canal and not from the conscious possession of the petitioner. The petitioner is in custody since 19.7.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 19.7.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, in connection with Amnour P.S. Case No. 179 of 2021.

(Anil Kumar Sinha, J)

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