

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51910 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- MAHESHKHUNT District- Khagaria

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AMLESH KUMAR SON OF RAGHUNANDAN SHARMA R/O VILLAGE-
JHAMTA BARHARA, P.S.- MUFFASIL, DIST.- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Maheshkhunt Police Station Case No. 83 of 2021, registered for the offences punishable under Sections 30(a)/36/41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police recovered 872 litres of illicit liquor from a pick-up van and arrested the petitioner and the driver of the said pick-up van from the spot.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on suspicion as he was present near the van on the Highway and his



name has also been disclosed by co-accused Sandeep Kumar, driver of the pick up van, who has been granted bail by this Court, vide order, dated 11.03.2022, passed in Criminal Misc. No. 49904 of 2021. He further submits that the petitioner is in custody since 28.05.2021, having no criminal antecedent of similar nature of offence and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent of similar nature, no illicit liquor has been recovered from the conscious possession of the petitioner, co-accused has been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 28.05.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on 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, Khagaria, in connection with Maheshkhunt Police



Station Case No. 83 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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