

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53381 of 2021

Arising Out of PS. Case No.-125 Year-2019 Thana- DEHRI TOWN District- Rohtas

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AMIT KUMAR SON OF LATE CHANDRA SHEKAR SINGH R/O
VILLAGE- WAZIRGANJ, P.S.- SASARAM (MUFFASIL), DIST.- ROHTAS
(BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Dehri (Town) Police Station Case No. 125 of 2019, registered
for the offences punishable under Sections 30(a)/35/38 of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information that
as huge quantity of illicit liquor has arrived at the brick kilns at
Jamuar, owned by three persons, proceeded towards the place of
occurrence and found one Eicher truck, one Mahindra pick-up
van and one motorcycle were parked and from the Eicher truck
and Mahindra pick-up van, the police recovered 4590 litres and



1728 litres of illicit liquor respectively.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent of similar nature of offence and he has falsely been implicated in this case merely because he had gone to the brick kiln on his motorcycle for the purpose of purchase of bricks. He further submits that the petitioner is neither the owner nor the driver of the Eicher truck or Mahindra pick-up van and no illicit liquor has been recovered from the conscious possession of the petitioner and/or the vehicle belonging to him. He further submits that the petitioner is in custody since 08.06.2020 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 of offence, no illicit liquor has been recovered from the conscious possession of the petitioner and/or the vehicle belonging to him, charge sheet has already been submitted and the petitioner is in custody since 08.06.2020, 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, Rohtas, at Sasaram, in connection with Dehri (Town) Police Station Case No. 125 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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