

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44704 of 2022

Arising Out of PS. Case No.-17 Year-2021 Thana- VAISHALI District- Vaishali

AMRESH KUMAR SON OF RAM NARESH RAY R/O VILLAGE-
SALEMPUR, P.S.- LALGANJ, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-08-2022 Heard the parties.

The petitioner has renewed his prayer for regular bail in connection with Vaishali PS Case No. 17 of 2021 registered under Section 30 (a), 41 (i), 33, 34, 36 of the Bihar Prohibition and Excise Act 2016 inasmuch as earlier bail application of the petitioner *vide* Cr. Misc. No. 33823 of 2021 was rejected by this court by order dated 22.12.2021 granting him liberty to renew his prayer for bail after six months if the trial does not show any progress.

Allegation in nutshell is that Police got a secret information that consignment of illegal spirit is being carried on a car by a person wanted in connection with several cases of Excise Act and upon the said information Police intercepted a



car from which the petitioner and one accused namely, Chandan Kumar alighted and started fleeing away, however, they were arrested and upon search 70 liters of illicit spirit has been recovered from the said car.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the Police with oblique motive. Learned counsel further submits that the petitioner is in custody since 14-01-2021 and there is no progress in the trial. Learned counsel next submits that only charge sheet has been submitted and cognizance of the offence has been taken on 15.03.2021. Learned counsel further submits that no witness has been examined till date.

Regard being had to the submissions made by the parties and taking into consideration the period of custody of the petitioner, the fact that no witness has been examined till date and this is 2nd attempt for grant of bail on behalf of the petitioner, as such, I am inclined to grant regular bail to the petitioner at this stage.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the



satisfaction of learned Addl. Sessions Judge-II cum Special
Judge Excise Court, Vaishali at Hajipur in connection with
Vaishali PS Case No. 17 of 2021.

(Anil Kumar Sinha, J)

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