

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63127 of 2021

Arising Out of PS. Case No.-389 Year-2020 Thana- ALOULI District- Khagaria

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Omkar Sah @ Omkar Kumar @ Raushan Kumar @ Onkar Kumar S/o Naresh
Prasad Sah R/o village- Bhadas (South), P.S.- Muyasil, Distt.- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Tiwari, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2022 Heard learned counsel for the petitioner and Shri

Dashrath Mehta, learned A.P.P. for the State through virtual

court proceedings.

The petitioner seeks bail in connection with Alouli
P.S. Case No. 389 of 2020 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.08.2021 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that
allegation is of recovery of 1630.44 litres of liquor from
godown of Md. Abu Faizan who disclosed the name of the
liquor trader including the petitioner.



Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot and his name came in the confessional statement of co-accused which has no evidentiary value in the eyes of law and further even nothing was recovered from his possession.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 11.08.2021, charge-sheet has been submitted in the case, was not arrested from the place of occurrence and his name transpired in the confessional statement, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Khagaria in connection with Alouli P.S. Case No. 389 of 2020.

(Satyavrat Verma, J)

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