

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53929 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- BAHADURPUR District- Patna

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Amarjeet Kumar, S/o Hare Ram Prasad, Resident of Mohalla- Nand Nagar
Colony, P.S.- Bahadurpur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Anant Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Bahadurpur P.S. Case No. 30 of 2022 registered
for the alleged offences under Section 30(a) of the Bihar Excise
Act.

As per prosecution case, police received secret
information about petitioner and other co-accused persons
selling illicit liquor. Police reached the spot but the petitioner
and other co-accused persons fled away from there and from the
said place, 6 litres of country made *mahua* liquor was recovered.

The learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has come on record to show the connection of the petitioner with the recovered articles. The recovery has been shown from an open place and the petitioner is in custody since 18.05.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and is having a number of cases pending against him.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and further considering the period of custody of the petitioner along with submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise at Patna City, Patna in connection with Bahadurpur P.S. Case No. 30 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:



(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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