

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68063 of 2021**

Arising Out of PS. Case No.-264 Year-2021 Thana- LALGANJ District- Vaishali

KAMLESH KUMAR Son of Ram Dayal Singh Resident of Village- Jarang  
Rampur, P.S.- Vaishali (Belsar O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rashid Izhar

For the Opposite Party/s : Mr.Md. Iftexhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      10-05-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with  
Lalganj P.S. Case No. 264 of 2021, for the offence punishable  
under Section 414 of the Indian Penal Code and 30(a) of the  
Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is recovery of 30 litres of country made  
liquor, kept in bag, from the possession of petitioner.

Learned counsel appearing on behalf of the petitioner  
submits that the petitioner is innocent and he has falsely been  
implicated in this case. He further submits that in course of  
vehicle checking certain altercation took place with the Police  
and illegal recovery of country made liquor has been shown



from the motorcycle bearing registration No. BR-31AK-7340. The petitioner has clean antecedent and he is in custody since 23.07.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that it would not be in the interest of the society to release the petitioner on bail as after consuming country made liquor hooch tragedy is rampant in the State of Bihar.

Considering the aforementioned facts and circumstances of the case and period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 30,000/- (Rs. Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 264 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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