

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70982 of 2021

Arising Out of PS. Case No.-178 Year-2021 Thana- BUDDHACOLONY District- Patna

AMIT KUMAR @ BALRAM Son of Late Dilip Rai Resident of Village -
Chakaram, P.S.- Buddha Colony, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-06-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Syed
Ehteshamuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Special Case No. 3533/2021 arising out of
Buddha Colony P.S. Case No. 178 of 2021 registered for the
offences punishable under Section 30(a)/36/41 of the Bihar
Prohibition and Excise Act. He is in custody since 11.06.2021
having six criminal antecedents as stated in paragraph '3' of the
application.

As per the prosecution story, on 09.06.2021 while the
informant was on patrolling duty, he received an information
from Excise Prohibition Unit, Patna that on the road which goes



Hospital India to Chakaram, illegal liquor was being brought for sale by a Brezza Car. The informant further alleged that after receiving information he reached Chakaram and saw one Brezza Car of gray colour standing on the road and two persons were sitting in the car, thereafter he apprehended three persons who disclosed their names as Amit Kumar @ Baliram, Santosh Kumar and driver Harnam Singh. The vehicle was searched and total 202.575 liters of illicit liquor were recovered. The informant further stated that on search of the person of Amit Kumar @ Baliram two mobiles and Rs. 6100/- and from possession of Harnam Singh one mobile and Rs. 6900/- were recovered, thereafter on search of Santosh Kumar one mobile was recovered. On query, Harnam Singh disclosed that the liquor was sent by Birendra Singh thorough Bhola to Chakaram and Amit Kumar @ Baliram came there for supply of the liquor who disclosed that the recovered liquors were demanded by Birendra Singh through Bhola.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing has been recovered from possession of the petitioner and petitioner has no concerned with the Car in question.

Learned A.P.P. for the State has opposed the prayer for



regular bail of the petitioner.

Having regard to the facts and circumstances of the case from which it appears that this petitioner was arrested from the Car in question with more than 200 liters of illicit liquor and petitioner has got six criminal antecedents of similar nature right from the year 2017 and he seems to be getting involved in similar offence while enjoying the privilege of bail in some of the cases, this Court is not inclined to release the petitioner on bail at this stage.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited. If the trial remains unconcluded for no reason attributable to the petitioner within six months from the date of communication of this order, the petitioner may renew his prayer for bail.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

