

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70689 of 2021**

Arising Out of PS. Case No.-297 Year-2021 Thana- RAJNAGAR District- Madhubani

CHANDAN KUMAR KAMAT S/o- Late Ramvilash Kamat Resident of
Village - Marneya, Navtoli Ward No.- 04, P.S. - Ladaniya, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-06-2022 Heard.

The petitioner seeks regular bail in connection with Rajnagar P.S. Case No. 297 of 2021, registered for the offence punishable under sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 315 liters of illicit liquor from a car which was being driven by the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 18.10.2021. The learned counsel for the petitioner has further submitted by referring to paragraph No. 12 of the present petition that he has no concern with the vehicle in question, hence, it is



submitted that since the petitioner is merely the driver of the vehicle in question, he was not knowing about the articles loaded in the said car by the owner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the petitioner is merely the driver of the car in question apart from the fact that he is having a clean antecedent and is languishing in custody since 9 months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of 2nd Addl. Sessions Judge cum Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. Case No. 297 of 2021.

(Mohit Kumar Shah, J)

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