

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12090 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- RAJNAGAR District- Madhubani

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KAMLESH KUMAR @ KAMLESH KUMAR RAM @ KAMLEH KUMAR
Son of Jay Prakash Ram R/v- Narkatiya Chowk, P.S.- Rajnagar District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Mr. Rajesh Kumar
	:	Mr. Gagan Deo Yadav
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272,273/34 of the Indian Penal Code and Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of huge quantity of total 3770.94 liters from three vehicles and the petitioner is said to be the driver of one of the seized vehicles bearing registration no. HR-55S-2762 from where 199 liters liquor was recovered.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has falsely been implicated in this present case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor and nothing incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 15.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner was arrested on spot with the seized vehicle from where the recovery of liquor has been made.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajnagar P.S. Case No. 383 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge II-cum-Special Judge, Excise Act, Madhubani.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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