

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12012 of 2023

Arising Out of PS. Case No.-643 Year-2022 Thana- WAJIRGANJ District- Gaya

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AMIT KUMAR S/O Prabhu Ray R/O Village- Bari Khagaul, P.S- Khagaul,
District Patna at present village- Basidiya, P.S Chouparan, District- Hajarib-
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... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav

For the Opposite Party/s : Mr.Arun Kumar

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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 section 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 189
liters foreign liquor from a Mahindra Xylo Car and the
petitioner is said to be apprehended on spot while he was
trying to flee away from the said vehicle.

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. The petitioner has no concern with the alleged



recovery of illicit liquor or with the vehicle in question. Nothing incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 26.11.2022.

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

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten 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 Wazirganj P.S. Case No. 643 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 Special Judge, Gaya.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of



Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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