

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11718 of 2023

Arising Out of PS. Case No.-219 Year-2022 Thana- SIKARHATTA District- Bhojpur

Ankit Kumar, Son of Birendra Singh, Resident of Village- Baghi Tola, P.S.-
Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-04-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Sikarhatta P.S. Case No. 219 of 2022 dated 01.12.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.
3. As per FIR, in total 80 litres liquor was recovered from the alleged spot, which was being carried by the petitioner along with co-accused.
4. The main submissions advanced by the learned counsel for the petitioner are that the petitioner was not apprehended on the spot and his name has transpired in the statement of the co-accused namely, Ritesh Kumar, nothing has been recovered from the conscious possession of the petitioner,



the seizure witnesses are not independent witnesses rather they are police personnel and the petitioner has been languishing in jail since 02.01.2022 having fair and clean antecedent.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly taking into account the fact that the petitioner was not apprehended on the spot and his name transpired in the statement of the co-accused, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Sikarhatta P.S. Case No. 219 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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