

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17239 of 2023

Arising Out of PS. Case No.-432 Year-2018 Thana- TAJPUR District- Samastipur

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KAMLESH KUMAR @ KAMLESH KR SINGH S/O- Rambilas Singh
Village- Patchpur PS- Musrigharari Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 09-05-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. Petitioner seeks regular bail in connection with Tajpur P.S. Case No. 432 of 2018, dated 09.12.2018 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.
3. The main submissions advanced by petitioner's counsel are that the instant matter relates to the recovery of 712 litres of *foreign liquor* and the same is stated to have been recovered from *Scorpio* and *Tata Sumo Grand* vehicles and the petitioner was not apprehended from any of the said vehicles and when the police intercepted the said vehicles, local people



gathered there and they disclosed the names of this petitioner and two co-accused persons Umesh Singh and Ram Bharos Das, being involved in the smuggling of alleged seized wine but the petitioner was not apprehended at the spot and the said co-accused persons have been granted anticipatory bail by co-ordinate Benches of this Court vide orders passed in Cr. Misc. No.64422 of 2021 and Cr. Misc. No.15496 of 2019 and the case of this petitioner stands on better footing from them as he has been languishing in jail since 21.02.2023 having fair and clean antecedent and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly fair and clean antecedent of the petitioner, completion of investigation against him and privilege of anticipatory bail having been granted to two similarly situated co-accused persons as mentioned-above and also the custody period of the petitioner, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the



concerned Court in connection with Tajpur P.S. Case No. 432 of
2018.

(Shailendra Singh, J.)

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