

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17192 of 2023

Arising Out of PS. Case No.-377 Year-2021 Thana- GOGRI District- Khagaria

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AMARJEET KUMAR @ ANKAJ VERMA SON OF LATE UPENDRA
VERMA RESIDENT OF VILLAGE - HARDASACHAK, P.S. - MUFFASIL,
DISTRICT - KHGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case

registered for the offence punishable under sections

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

Prosecution case relates to recovery of 81.375

litres and 82.125 litres of I.M.F.L. from the dickey of car

bearing Reg. No. DL-7CF-1608.

Learned counsel appearing on behalf of the

petitioner has submitted that petitioner is innocent and

has committed no offence. Neither the petitioner is



named in F.I.R. nor anything incriminating has been recovered from his conscious possession. Petitioner is not named in F.I.R. and his name sprang up in this case during investigation being the owner of the alleged seized motorcycle. It is further submitted that petitioner has parked his motorcycle nearby the place of occurrence and on suspicion police has seized the motorcycle of the petitioner. He has no concern with the alleged recovery or with the place of occurrence. Petitioner was not apprehended on spot. There is no independent witness of the alleged seizure. He is languishing in judicial custody since 13.12.2022. Similarly situated co-accused Several co-accused persons have been granted bail by the co-ordinate Benches of this Court.

Learned APP appearing for the State has opposed the prayer of Bail.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge 1st, Khagaria in connection with Gogri P.S. Case No. 377 of 2021.

(Sunil Kumar Panwar, J)

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