

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23742 of 2023

Arising Out of PS. Case No.-830 Year-2022 Thana- FATUA District- Patna

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KAMLESH KUMAR Son of PREMA RAVIDAS Village- Baruna Ps- Fatwah
Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-07-2023 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.

As per FIR, prosecution case relates to recovery of total 100 liters of illicit liquor from a tempo bearing Registration BR01PE-6233 and the petitioner is said to have fled away from the place of occurrence.

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 on the basis of secret information. He has got no criminal antecedent as stated in para-3 of the petition. Petitioner has no



concern with the alleged recovery of illicit liquor or with the vehicle in question rather one Anil Kumar is owner of the said vehicle. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 14.2.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fatwah P.S. Case No. 830 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, Exclusive Excise Court, Patna City.

(Sunil Kumar Panwar, J)

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