

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36773 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- MUSRIGHRARI District- Samastipur

AMARJIT KUMAR @ AMARJEET KUMAR S/O MAHENDRA BHAGAT
R/O Village. Adharpur, Ward No. 4, PS. Samastipur (Muffasil), Dist.
Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-07-2023 At the outset, learned counsel for the petitioner is permitted to do necessary correction in the bail petition.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 467, 468, 471, 420/34 of the Indian Penal Code and Sections 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise Act (Amendment).

As per prosecution case, there has been recovery of total 874.44 liters of foreign liquor from the different vehicles.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner was not apprehended on spot. The name of the petitioner has come into light, on the basis of



confessional statement of co-accused Umesh Sah, who apprehended on spot, which has got no evidentiary value in the eyes of law. Petitioner has no concern with the seized wine as well as vehicle in question. No incriminating article has recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 23.12.2022 passed in Cr. Misc. No. 66313 of 2022. He is languishing in judicial custody since 19.03.2023.

The application for bail is opposed by learned APP for the State.

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 Court of Special Judge Excise-I, Samastipur in connection with Musrigharari P.S. Case No. 157 of 2022.

(Sunil Kumar Panwar, J)

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