

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37552 of 2023**

Arising Out of PS. Case No.-99 Year-2023 Thana- AMBA District- Aurangabad

OM PRAKASH @ OM PRAKASH BHUIYAN S/O KULDIP BHUIYAN @
KULDEEP BHUINYA R/O Village- Tamsi Kushapar, PS. Kutumba, Dist.
Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-06-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Amba P.S. Case No. 99 of
2023 dated 25.04.2023 registered for the offences punishable u/s
279 of the IPC and sections 30(a), 37 of the Bihar Prohibition
and Excise Act.

As per the prosecution case, total 234 litres of country
made liquor was recovered from the motorcycles and the car.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the said vehicle and he has no knowledge about the said recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Amba P.S. Case No. 99 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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