

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46449 of 2023

Arising Out of PS. Case No.-265 Year-2018 Thana- ISLAMPUR District- Nalanda

Amit Kumar @ Balram Son Of Late Dilip Kumar @ Dilip Ray Resident Of
Village - Chakaram, P.S. - Buddha Colony, Distt. - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirmal Kumar
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 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 sections 30(a) Bihar
Prohibition and Excise Act.

As per prosecution case, co-accused persons were
apprehended on the spot and on search total 570 liters illegal
liquor was recovered from a vehicle bearing Reg. No. BR-
01PK-9116.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused. The petitioner is not
named in the FIR and neither the petitioner was apprehended on
the spot nor vehicle in question belongs to him. It is further



submitted that nothing has been recovered from his conscious possession. Learned counsel for the petitioner submitted that at the time of lodging the FIR the petitioner was already in judicial custody in Barachatti P.S. Case No. 62 of 2018 and the petitioner is languishing in judicial custody since 19.05.2023.

Learned APP appearing for the state has opposed the prayer of regular 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 Islampur P.S. Case No. 265 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District and Sessions Judge-cum Special Court of Excise-II, Nalanda.

(Sunil Kumar Panwar, J)

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