

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60356 of 2022**

Arising Out of PS. Case No.-67 Year-2021 Thana- ARER District- Madhubani

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ANKUR KUMAR @ ANKUL KUMAR S/O MADAN SINGH RESIDENT
OF VILLAGE- BILARI, P.S.- BILARI, DISTRICT- MURADABAD, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 01-02-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection with Arer PS case no. 67 of 2021 instituted for the offences punishable under Sections 272, 273, 467, 468, 471, 120(B) of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of huge quantity of illicit liquor from a container and a pick-up van parked at the brick-kiln situated at village- Jarail. It is also alleged that during the course of investigation, a spy had informed that the petitioner is also involved in the business of illicit liquor.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner is accused in one other case but he is on bail in the said case. It is next submitted that the petitioner was arrested in one other case and he has been remanded in the present case only on 18.05.2022. The learned counsel for the petitioner, by referring to paragraphs no. 8 to 10 of the present petition, has submitted that the petitioner has got no concern either with the container in question or with the pick-up van or with the illicit liquor recovered by the police. It is also submitted that neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from the possession of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither any illicit liquor has been recovered from the possession of the petitioner nor he has been arrested from the spot nor the



container/ pick-up van in question, from which, illicit liquor has been recovered, belongs to the petitioner, as has been averred in paragraphs no. 8 to 10 of the present petition, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge II-cum-Special Judge (Excise) Act, Madhubani in connection with Arer PS case no. 67 of 2021.

(Mohit Kumar Shah, J)

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