

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57775 of 2023**

Arising Out of PS. Case No.-430 Year-2023 Thana- BEUR District- Patna

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AMAR KUMAR SON OF KUNJ BIHARI DUBEY RESIDENT OF  
VILLAGE- MANANPUR, PS- KALYANPUR, DIST- MOTIHARI (EAST  
CHAMPARAN)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashutosh Kumar  
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      21-09-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case  
instituted for the offence under Sections 379, 411 of the Indian  
Penal Code and Section 30(a), 33 of the Bihar Prohibition and  
Excise Act.

3. As per prosecution case, there has been recovery of  
360 liters of illegal sprit from a vehicle, which was being driven  
by the petitioner.



4. 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 apprehended on spot. He submitted that the petitioner has no concern with the seized sprit. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 26.06.2023.

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

6. The petitioner is directed to deposit Rs. 10,000/- (ten thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 below in connection with Beur P.S. Case No. 430 of 2023.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.



10,000/- (ten thousand) by the petitioner in the account of  
concerned DLSA.

(Sunil Kumar Panwar, J)

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