

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67456 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- NAYAGAON District- Saran

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AMIT KUMAR SON OF LATE YOGENDRA PRASAD SINGH @
YOGENDRA SINGH RESIDENT OF VILLAGE - MOHABATPUR, P.S. -
GANGABRIDGE, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nayagaon P.S. Case No. 19 of 2023 registered on 08.02.2023
lodged under Sections 30(a), 32(i)(iii), 36, 41(i)(ii) of the Bihar
Prohibition and Excise Act (Amendment), 2016.

3. As per the prosecution case, total recovery of
2349.70 litre of wine is the subject matter of the present case.

4. Counsel for the petitioner submits that the
petitioner has not been apprehended from his place of
occurrence. His name has been figured in this case by the virtue
of confessional statement of the co-accused who was
apprehended from the place of occurrence.



5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 25.07.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that it is true that the antecedent of the petitioner is clean but such a huge quantity has been recovered and it has come in the investigation that petitioner is directly involved in the commission of the crime.

7. In the present facts and circumstances of this case and recovery of huge quantity, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this petition of regular bail is rejected, However, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during the trial, if he renews his prayer for bail after framing of charge.

9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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