

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74410 of 2023

Arising Out of PS. Case No.-345 Year-2023 Thana- NAVINAGAR District- Aurangabad

Ankit Kumar, Son Of Upendra Kumar Chandravanshi, R/O Village-
Haidarnagar, P.S.- Haidarnagar, District- Palamu, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Sagar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Nabinagar P.S. Case No. 345 of 2023 registered on 19.09.2023 for the alleged offences under Section 30(a) (c) Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, police received secret information about manufacturing of illicit liquor and its smuggling by a tempo. A raid was conducted and police found a youth fleeing away with the tempo on which a number of equipment for manufacturing of liquor were loaded. On search, recovery of 20 litres of country made mahua liquor was made. From a nearby place huge quantity of raw material for manufacturing of illicit liquor was recovered which was



destroyed at the same place. Petitioner is the person who was apprehended fleeing away with the tempo.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner was dragged in this case due to village politics. Petitioner is the driver of the said tempo and he is not the owner so he has no knowledge about illicit liquor being kept in the tempo. Petitioner is in custody since 24.08.2023 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-I, Aurangabad/ court concerned in connection with Nabinagar P.S. Case No. 345 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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