

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73458 of 2022

Arising Out of PS. Case No.-967 Year-2022 Thana- ARA NAGAR District- Bhojpur

KAMLESH KUMAR S/o Dinesh Choudhary R/v- Balbatra, P.S.-Ara Nagar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Ara Town P.S. Case No. 967 of 2022, registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Amendment Act.

The allegation is regarding recovery of 160 liters of
illicit liquor from the tempo in question, which was being driven
by the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, he is having a clean antecedent
and he is languishing in custody since 19.11.2022. The learned
counsel for the petitioner has further submitted that considering



the period of incarceration of the petitioner herein, a sympathetic view may be taken.

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 petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1st, Bhojpur at Ara in connection with Ara Town P.S. Case No.967 of 2022.

(Mohit Kumar Shah, J)

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