

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74304 of 2022

Arising Out of PS. Case No.-154 Year-2022 Thana- KALUAHI District- Madhubani

AMARJEET KUMAR Son of Gauri Shankar Sahu @ Gouri Shankar Sah
R/v- Indira Colony, P.S.- Bahadurpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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 G.R.No. 1670 of 2022, arising out of Kaluahi P.S. Case No. 154 of 2022, registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 90 liters of illicit liquor from a motorcycle and it is alleged that the petitioner had fled from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 15.9.2022. The learned counsel for the petitioner has further submitted, by referring to paragraph no. 11 of the present petition that the petitioner is not having any concern with the seized motorcycle, hence, he is having no complicity in the matter.

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 fact that neither the petitioner has been arrested from the spot nor the motorcycle belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of the petitioner, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Kaluahi P.S. Case No. 154 of 2022.

(Mohit Kumar Shah, J)

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