

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18810 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- BHAIKAVSHTHAN District- Madhubani

Sanjit Kumar Kamat @ Sanjit Kamat Son of Jagdish Kamat Resident of
Village- Koilakh, P.S.- Rajnagar, District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-03-2024 Heard Mr. Shailendra Kumar, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in Bhairavsthan P.S. Case No. 06 of 2024, instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code, Section 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 6138.360 liters liquor was recovered from two vehicles and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that petitioner is neither owner nor driver of any of the seized



vehicles. The petitioner is in custody since 16.01.2024 and has got one criminal antecedent in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released 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 Court below/concerned Court in connection with Bhairavsthan P.S. Case No. 06 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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