

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31666 of 2024

Arising Out of PS. Case No.-831 Year-2023 Thana- MAHUA District- Vaishali

Kamlesh Kumar Son of Lakhindra Ray Resident of village - Kadhaniya,
Karhatiya, Kadnaniya, Mahua Singh Ray, P.S - Mahua, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Asha Kumari , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise (Amendment) Act, 2018 and Sections 414 and 34 of the IPC .

3. It is alleged that total 53.64 liters of I.M.F.L was recovered from bike and car in question.

4. It is submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner transpired during course of investigation on confessional statement of other co-accused persons namely Pappu Kumar. Petitioner is neither owner nor driver of the alleged vehicles in question . No incriminating material has been



recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition.

6. Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court (Second)-cum- Additional District and Sessions Judge , Vaishali at Hajipur in connection with Mahua Police Station Case No. 831 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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