

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56145 of 2024

Arising Out of PS. Case No.-597 Year-2023 Thana- TAJPUR District- Samastipur

Kamlesh Singh @ Kamlesh Kumar Son Of Raj Narayan Singh @ Jay Narayan Singh Resident Of Village - Motipur, P.S. - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 31-08-2024 1. Heard learned counsel for the petitioner as well as learned APP for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 30(a)/ 41(i) (ii) of the Bihar Prohibition and Excise Act.
3. The learned counsel for the petitioner submits that petitioner has antecedent of five cases and allegation is of recovery of 3726 liters of liquor from a tanker.
4. It is next submitted that petitioner was not arrested from the spot, as such nothing was recovered from his conscious possession and is not the owner of the seized tanker and he came to be implicated at the instance of *Chowkidar*. It is also submitted that in majority of the cases, police implicates



either at the instance of *Chowkidar*, local person, confessional statement or secret information in a mechanical manner without holding a proper investigation. It is next submitted that at times police in order to save the real culprits implicates those who have been implicated in a case relating to excise. It is further submitted that petitioner is in custody since 04.07.2024.

5. The learned APP for the State opposes the regular bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-02, Samastipur in connection with Tajpur P.S. Case No. 597 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

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