

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55862 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- GORIAKOTHI District- Siwan

KAMLESH KUMAR S/O LATE KRISHNA PRASAD Resident of Village-
Dhanichak, P.S. -Masaurhi, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra
For the Opposite Party/s : Mr. Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Goriyakothi P.S. Case No. 163 of 2024 dated 04.07.2024 registered for the offence/s punishable u/s 317(2) of the Bhartiya Nyaya Sanhita 2023 and section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 696.600 litres of illicit foreign liquor was recovered from the Truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the driver of the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has



been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 05.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Goriyakothi P.S. Case No. 163 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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