

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90143 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- KOCHAS District- Rohtas

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Amit Kumar @ Amit S/o Madan Kumar @ Madan R/o Village-
Gopaniya(Bupania) Beri, P.S.- Badali, District- Jhajjar, State- Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kochas
P.S. Case No. 320 of 2024, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 336.90 liters
liquor was recovered from a car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and 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. Learned counsel
for the petitioner further submits that the petitioner is neither



owner nor driver of the said car in question. The petitioner was not arrested on the spot. Name of the petitioner has transpired on the basis of confessional statement made by co-accused, namely, Rajesh Kumar and the same has got no evidentiary value. The petitioner is in custody since 16.11.2024 and has got one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 Kochas P.S. Case No. 320 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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