

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43844 of 2022**

Arising Out of PS. Case No.-236 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

Amar Kamkar, S/o Manoj Kamkar, R/o village- Majhariyan, P.S.- Buxar  
(Industrial), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rang Nath Choubey

For the Opposite Party/s : Mr.Amitesh Kumar

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      30-09-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks.

In the present case, the petitioner seeks bail in  
connection with Buxar (Industrial) P.S. Case No. 236 of 2021  
registered for the alleged offences under Section 30 (a) of the  
Bihar Prohibition and Excise Act.

Allegedly, 259.2 litres of India made foreign liquor  
was recovered from three bicycles. The petitioner along with  
other co-accused persons are alleged to be carrying the liquor on  
the bicycles. However, they fled away from the spot.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this



case. The petitioner has not been arrested from the spot and nothing incriminating has been recovered from his conscious possession. The other co-accused persons have been granted bail by a Coordinate Bench of this Court vide order dated 06.07.2022 passed in Cr. Misc. No.8828 of 2022. The charge sheet has been submitted in this case. The petitioner is in custody since 23.05.2022 and is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the fact that the petitioner has not been arrested from the spot and no recovery has been shown from his possession and further considering the submission of charge sheet and the period of custody of the petitioner along with clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Excise Special Court-1, Buxar, in connection with Buxar (Industrial) P.S. Case No. 236 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

**(Arun Kumar Jha, J)**

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