

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12621 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- BARUN District- Aurangabad

SUNIL KUMAR @ JITENDRA KUMAR, Male, aged about 35 years, Son of
Late Parika Singh, Resident of Village - Bilat Bigha, P.S.- Barun, Distt –
Aurangabad ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Leelawati Kumari, Adv.
For the Opposite Party : Mr. Ashraf Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-03-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
21.01.2019 in connection with Barun P.S. Case No. 18 of 2019
for the offence alleged under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on information that the petitioner has
concealed huge quantity of illicit liquor, raid was conducted and
near the house of the petitioner under the sand 117 liters of
country made liquor was recovered. Accordingly, a seizure list
was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. He submits that
just because the illicit liquor was recovered near the house of
the petitioner, the petitioner has been made accused. Nothing



has been recovered from the conscious possession of the petitioner and he was returning after attending the marriage ceremony and has been apprehended by the police. Petitioner undertakes to cooperate in the investigation, not to induce witnesses or tamper with the prosecution evidence.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the nature of allegation, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Barun P.S. Case No. 18 of 2019 to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge (Excise), Aurangabad, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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