

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22131 of 2020

Arising Out of PS. Case No.-374 Year-2019 Thana- BRAHMPUR District- Buxar

SUNNI @ SONU KUMAR @ BULLU KUMAR @ BULU KUMAR @
BHOLU S/o Ram Bachan Choudhary Resident of Village- Bakari, P.S.-
Udwant Nagar, District- Bhojpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Damodar Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and
Sri Damodar Prasad, the learned APP for the State.

The petitioner seeks regular bail in connection with Brahmpur PS case no. 374 of 2019 instituted for the offences punishable under Section 30(a) of Bihar Excise Act, 2018.

The allegation is regarding recovery of 98.280 liters of illicit wine from the back of the house of one Santosh Kr. Pandey.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a fair antecedent,



inasmuch as though he is an accused in one other case but he is on bail in the said case and he is languishing in custody since 01.06.2020. It is further submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 21.10.2019, passed in Cr. Misc. no. 66245 of 2019.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of the petitioner with that of the co-accused person who has been granted bail by a co-ordinate Bench of this Court, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, Buxar in connection with Brahampur PS case no. 374 of 2019.

(Mohit Kumar Shah, J)

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