

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30583 of 2021

Arising Out of PS. Case No.-376 Year-2019 Thana- PUPRI District- Sitamarhi

SUMAN KUMAR Son of Kari Sah Resident of Village- Hardiya, P.S.- Pupri,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2021 Heard the learned counsel appearing for the petitioner and
learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Pupari P.S. Case No. 376 of 2019 for the offence punishable
under Sections 272, 273/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 122 litres of illicit
liquor from Elantra car.

The learned counsel for the petitioner has submitted that
the petitioner is innocent and he has been falsely implicated in
the present case. It is further submitted that the petitioner has
surrendered before the learned court below on 05.02.2021 and
he is in custody since then. It is next submitted that it would be
apparent from the seizure list that an agreement to sale was
recovered from the car in question in which the name of the



seller was mentioned as Sahil Singh and the name of the purchaser was mentioned as Suman Kumar, however, it is submitted that the vehicle in question had not been actually sold to the petitioner inasmuch as the registration of the vehicle had not been transferred in the name of the petitioner.

Per contra, the learned APP appearing 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 petitioner and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since 05.02.2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Sitamarhi in connection with Pupri P.S. Case No. 376 of 2019.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

