

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33612 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- BAUSI District- Purnia

SUMAN KUMAR Son of Bharat Yadav Resident of Village - Atarbel
Ramchaura, P.S.- Singhwara, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Special Case No. 39 of 2021 arising out of Baisi P.S.Case No. 15 of 2021, registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 41, 47 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 5650.200 liters of illicit foreign liquor from a truck and the petitioner is stated to the cleaner of the truck.



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 clean antecedent and he is languishing in custody since 12.1.2021. The learned counsel for the petitioner has further submitted that a coordinate Bench of this Court, vide order dated 13.8.2021 passed in Criminal Miscellaneous No. 29791 of 2021, has already granted bail to the driver of the truck in question.

Per contra, the learned APP 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 parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the above named petitioner is directed to be enlarged 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 learned Special Judge, Excise, Purnea in connection with Special Case No. 39 of 2021 arising out of Baisi P.S. Case No. 15 of 2021.

(Mohit Kumar Shah, J)

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