

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46415 of 2021

Arising Out of PS. Case No.-328 Year-2020 Thana- AHYAPUR District- Muzaffarpur

Sujit Kumar S/O Kedar Prasad Yadav @ Kedar Rai R/O Village-Shivrahan
Basudeo, P.S-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Ahiyapur
P. S. Case No.328 of 2020, instituted for the offences under
Sections 272, 273 of the Indian Penal Code and Sections 30(a),
36 of the Bihar Prohibition and Excise Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 08.04.2021 and charge-sheet has
been submitted in this case.

Allegation is of recovery of 2680.560 litre of foreign
liquor from a truck.

The learned counsel for the petitioner submits that the
driver of the truck Md. Sharik disclosed the name of this
petitioner, who alleges that it was the petitioner, who had



ordered for the liquor and on seeing the police, fled away.

The learned counsel for the petitioner submits that petitioner has not been arrested from the place of occurrence and his name has come on the basis of confessional statement of the driver of the truck, which has no evidentiary value in the eye of law.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody since 08.04.2021 and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Ahiyapur P. S. Case No.328 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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