

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10424 of 2021

Arising Out of PS. Case No.-296 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

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SUMIT KUMAR SINGH Son of Yaswant Singh Resident of Village -
Kukudhipur @ Kukuripur, P.S. - Jalalpur, District - Jaunpur (U.P.).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Balmukund Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-07-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for grant of regular bail arises out of
Excise Case No. 798 of 2019 arising out of Durgawati P.S. Case
No. 296 of 2019, disclosing offences punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

The petitioner is in custody since 24.11.2019. He had
earlier approached this Court for grant of bail, which was
rejected by an order dated 23.06.2020 passed in Cr. Misc. No.
4681 of 2020.

Allegedly, 1451.520 liters of foreign made liquor



was recovered by the police officials from a pick-up van. The driver of the vehicle, who was apprehended, confessed his involvement and disclosed active involvement of the petitioner in trade of the said liquor.

Learned counsel for the petitioner has submitted that he has been implicated with the sole allegation that he is the owner of the vehicle and on the basis of confessional statement of co-accused to the effect that he is involved in trade of illicit liquor. Over and above, there is no allegation against the petitioner.

Considering the aforesaid submission and the fact that the petitioner has remained in custody since 24.11.2019, this application is allowed.

Let the petitioner above-named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III-cum-Special Judge (Excise, Kaimur at Bhabua in Excise Case No. 798 of 2019 arising out of Durgawati P.S. Case No. 296 of 2019.

(Chakradhari Sharan Singh, J)

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