

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6660 of 2022

Arising Out of PS. Case No.-711 Year-2021 Thana- KHAGARIA District- Khagaria

SUDHIR KUMAR @ SUDHIR RAI Son of Dev Kumar Rai Resident of
Village- Chak Sikandar, P.S.- Tajpur, District- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Khagaria (Muffasil) P.S. Case No. 711 of 2021 lodged under
Section 30(a) of Bihar Prohibition and Excise Act.

The total recovery of 2934 liters of english wine has
been made in the present case.

Learned counsel for the petitioner submits that the
alleged recovery was not made from the conscious possession of
the petitioner. He further submits that petitioner was not arrested
on spot and his name has been figured in this case by the
confessional statement of other accused person arrested on the
spot namely, Ajay Yadav. He further submits that charge sheet
has already been filed in this case and petitioner is in custody
since 13.11.2021. He further submits that the accused persons

from whose possession the recovery has been alleged to be made, have been granted bail by the Co-ordinate Bench of this Court vide order dated 17.05.2022 passed in Cr. Misc. No. 67652 of 2021. He further submits that petitioner has got clean antecedent.

Learned A.P.P. has opposed the prayer for bail and submits that huge quantity of liquor has been recovered in this case. So prayer for bail should be rejected.

Considering the facts that charge sheet has been filed in this case and petitioner is in custody since 13.11.2021 having no criminal antecedent as well as the Co-ordinate Bench of this Court has already been granted bail to accused Ajay Kumar Yadav and Prem Singh vide order dt. 17.05.2022 passed in Cr. Misc. No.67652 of 2021, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.1,00,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Judge-Ist, Khagaria in connection with Khagaria (Muffasil) P.S. Case No.711 of 2021.

(Dr. Anshuman, J)

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