

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9214 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- DUMRA District- Sitamarhi

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SUJIT KUMAR @ SUJEET KUMAR Son of Kameshwar Sahni Resident of
Village - Lagma, Azamgarh Nagwan, Ward No.06, P.S.- Dumra, Distt.-
Sitamarhi (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 30(a), 36, 41(i) of the
Bihar Prohibition and Excise Act.

As per the prosecution case, 2014. 44 liters of illicit
foreign liquor has been recovered from orchard of Pramod
Chandra Prasad and name of this petitioner has transpired in this
case on the basis of confessional statement of co-accused, who
was apprehended on the spot.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner. Petitioner is in custody



since 22.07.2021. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail. He submits that the petitioner has got identical criminal antecedent.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner, shall be released on bail by the trial court to its own satisfaction on the condition that the petitioner will co-operate in the trial.

(Prabhat Kumar Singh, J)

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