

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48504 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Suraj Kumar, Son of Manoj Yadav @ Manoj Kumar Yadav Resident of
Village - Araria Court Itara, P.S.- Araria in the district of Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-12-2022 Heard Mr. Sunil Kumar, learned counsel appearing on
behalf of the petitioner and Mr. Md. Shakir Ahmad, learned APP
for the State.

Petitioner, who is in custody since 23.11.2021, seeks
regular bail in connection with Special Case No. 558 of 2021
arising out of Kochadhaman P.S. Case No. 316 of 2021
registered for offences punishable under Sections 272 and 273
of the Indian Penal Code and Sections 30(a), 32, 41 and 47 of
the Bihar Prohibition and Excise Act.

Allegation is of recovery of 692.200 litres of foreign
liquor from a Mahindra Bolero pickup van bearing Registration
No. BR-11GD-976 and 18 litres foreign liquor from an Alto Car
bearing Registration No. BR-06CP-4121.

It is submitted on behalf of the petitioner that the
petitioner was released on bail vide order dated 20.05.2022



passed in Cr. Misc. 1634 of 2022 with direction to the District Transport Officer, Kishanganj to furnish a report with regard to owner of the Bolero Pickup van bearing Registration No. BR-11-GD-9765 and if the said vehicle is not registered in the name of the petitioner, the petitioner be released on bail. The bail bond of the petitioner was not accepted in view of the report of the District Transport Officer, Kishanganj who had informed that the said vehicle is registered in the name of the petitioner.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner has clean antecedent and he is not connected with trade of liquor. The petitioner has remained in custody since 23.11.2021 and seeks to be released on bail on any terms and conditions imposed by this Court.

Learned APP, however, opposed the prayer for grant of bail to the petitioner.

Considering the aforesaid facts and circumstances, the petitioner is directed to be released on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees one lac) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II cum Special Judge, Excise, Kishanganj in connection with Special Case No. 558 of 2021 arising out of Kochadhaman P.S. Case No. 316 of 2021, on such



terms and conditions as fixed by the court below.

Accordingly, the bail application stands disposed of.

(Purnendu Singh, J)

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