

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49840 of 2022

Arising Out of PS. Case No.-305 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Suraj Kumar @ Suraj Verma, Son of Late Rajo Verma @ Rajendra Verma
Resident of Village - Sansar Pokhar, Gandhi Tola, Ward No.17, P.s.- Kabaiya,
Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Kumar Maharaj, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Lakhisarai (Kabaiya) P.S. Case No. 305 of 2022 registered for the alleged offences under Sections 30(a) and 32(iii) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, police received secret information about transportation of illicit liquor in an e-rickshaw. The checking of the vehicles was started and the said e-rickshaw was intercepted. The co-accused Suraj Kumar @ Boudha Mandal was apprehended and from the e-rickshaw total 22.500 litres of illicit India made foreign liquor was recovered. The apprehended co-accused disclosed the name of the petitioner as a person that the seized liquor belonged to.



The learned counsel for the petitioner submits that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner has been made accused on the basis of the confessional statement of the co-accused but the petitioner has no concern either with the seized liquor or with the apprehended co-accused. Except for suspicion there is nothing against the petitioner. The petitioner is in custody since 04.06.2022 and charge sheet has been submitted.

Learned APP opposes the prayer for bail submitting that a number of cases pending against this petitioner.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and petitioner was not apprehended from the spot and also considering his period of custody along with the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-cum-Special Judge Excise Act-1st, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 305 of 2022, subject to



the conditions mentioned in Section 437(3) of the Cr.P.C. and
the following conditions:

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the court below.

(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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