

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50066 of 2022

Arising Out of PS. Case No.-125 Year-2021 Thana- KORANSARAI District- Buxar

Sudama Singh, Son of Anil Kumar Singh, Resident of Mohalla - Syndicate
Budhan Purwa, Shivpuri Ward No. 16, P.S. - Buxar (Town), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, as pointed out by the office
be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Koransarai P.S. Case No. 125 of 2021
registered for the alleged offences under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, from an overturned pick-up
van vehicle, 241.92 liters of India made foreign liquor was
recovered. The petitioner is stated to be the owner of the
vehicle.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner has purchased the pick up van two months prior to the alleged occurrence and he had given his vehicle on hire to his client. The petitioner was having no knowledge about the illegal purpose for which the vehicle was being used. The petitioner is in custody since 23.06.2022 and charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession and further considering the submission of charge-sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Buxar in connection with Koransarai P.S. Case No. 125 of 2021, 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 for 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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