

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63363 of 2021**

Arising Out of PS. Case No.-116 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Sundar Kumar @ Sundan Kumar Son of Lalbabu Choudhary @ Lalbabu Chaudhary Resident of Village - Bhairapur, Nizamat, P.S. - Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2022 Heard learned counsel for the petitioner and Shri Akhileshwar Dayal, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Muffasil P.S. Case No. 116 of 2020 instituted for the offences under Section 120(B) of the Indian Penal Code read with Sections 30(a), 32 and 42(1) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.09.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of 2654.385 litres of liquor from a truck, 95.040 litres of liquor from a pick-up van, 201.000 litres



of liquor from an Alto car along with mobile and cash and 258.360 litres of liquor from maize field of one Dinesh Singh, as such the total recovery is 3408.785 litres of liquor.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case merely because he is the owner of the truck and was not arrested from the spot and further was not knowing what the driver had loaded in the truck.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 25.09.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent and he was not arrested from the spot, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Begusarai in connection with Muffasil P.S. Case No. 116 of 2020.

(Satyavrat Verma, J)

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