

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71645 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- BIDUPUR District- Vaishali

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Surya Mani Kumar @ Gopu Kumar, S/O Shivpujan Singh, R/o village-
Chechar, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 04-04-2022 The applicant is given out of turn hearing on the

ground of illness of his mother. This fact is not disputed by the

other side.

The applicant/accused in Crime No. 134 of 2021
(Excise GR No. 332 of 2021) registered with Bidupur Police
Station for the offences punishable under Sections 30(a) and
41(1) of the Bihar Prohibition and Excise Act, by this
application is seeking his release on bail during pendency of the
trial.

Heard the learned counsel appearing for the
applicant/accused. He argued that co-accused, Indramani
Kumar Singh and Bipin Kumar are granted bail by the
coordinate Benches of this Court and the applicant is
undergoing pretrial detention from 24.09.2021. He further



submits that the investigation of the subject crime is over.

The learned Additional Public Prosecutor opposed the application by contending that 2598 litres of illicit liquor came to be seized from the vehicles and the applicant was seen to be running from the spot of the incident.

I have considered the submissions so advanced and also perused the materials placed before me.

Undisputably two of the co-accused are directed to be released on bail by the coordinate Benches of this Court. The applicant, as alleged by the prosecution had ran away from the spot of the incident and from the three vehicles, illicit liquor of 2598 litres quantity came to be seized.

As the investigation of the subject crime is over and the two co-accused are directed to be released on bail by the coordinate Benches of this Court, I see no reason to refuse bail to the applicant. Therefore, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 134 of 2021 (Excise GR No. 332 of 2021) registered with Bidupur Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the



following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

Bhardwaj/-

(A. M. Badar, J)

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