

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9544 of 2023

Arising Out of PS. Case No.-726 Year-2021 Thana- MASAUDHI District- Patna

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SUJIT SHARMA @ SUJIT KUMAR Son of Ganesh Lal Sharma R/V-
Masaurhi, P.S- Masaurhi, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a), 41(i) of the
Bihar Prohibition and Excise Act.

As per allegation in the FIR, for persons were
apprehended who were standing in suspicious condition and on
search 362.88 litres of IMFL of different brands were recovered.
On interrogation, they disclosed the name of the other accused
persons including the petitioner as of his associates, who
managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with



the apprehended accused persons. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 15.10.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Masaurhi P.S. Case No. 726 of 2021.

(Sunil Kumar Panwar, J)

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