

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5444 of 2023**

Arising Out of PS. Case No.-117 Year-2021 Thana- GANGABRIDGE District- Vaishali

Anuj Kumar @ Sugga S/O Sri Sumesh Singh Resident Of Village- Saidpur  
Ganesh, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vaishnavi Singh  
For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      07-04-2023                      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), 32(ii), 38(i), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 2800.05 litres of I.M.F.L. from three different vehicles, Truck bearing registration number UK-08-CA-5435, pickup bearing registration number BR-31B-7378, Tata Sumo Gold bearing registration number BR-1AP-3787.

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 vehicles in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused, namely, Vinod Kumar (who has already granted bail vide order dated 01.08.2022, passed in Cr. Misc. No. 64172 of 2021 by the co-ordinate Bench of this Court), 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 08.12.2022.

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 Additional District & Sessions Judge I-cum-Exclusive Special Excise Court No. I, Vaishali, Hajipur in connection with Ganga Bridge P.S. Case No. 117 of 2021.

(Sunil Kumar Panwar, J)

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