

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5841 of 2023

Arising Out of PS. Case No.-830 Year-2022 Thana- SITAMARHI District- Sitamarhi

SUKAN PRASAD @ SUKAN SAH S/O LATE LAKSHMI SAH R/v-
Konaila, P.S.- Ujiarpur, District- Samastipur At Present R/o- Raghunathpuri,
Ward No. 6, P.S.- Mehsol (Sitamarhi), District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Sitamarhi P.S. Case No. 830
of 2022 dated 12.10.2022 registered for the offences punishable
u/s 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total 108 litres of foreign
liquor was recovered from the motorcycle bearing Registration
No. BR-30A-9717 parked there and the petitioner and other co-
accused persons are engaged in storing foreign liquor in their
rented houses.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the petitioner has a sweetmeat shop near the place of occurrence. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.10.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sitamarhi P.S. Case No. 830 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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