

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6624 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- AMBA District- Aurangabad

Suraj Kumar @ Suran Kumar S/O Satyanarayan Mehta Resident Of Village-
Telhara Bigha, P.S.- Amba, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rupa Kumari

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Amba P.S. Case No. 289 of 2022 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 70 liters of country made liquor from the seven plastic bags on the sheet of the motorcycle and petitioner was arrested on spot after chase with the said motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the seized illicit liquor. Nothing has been



recovered either from the conscious possession of the petitioner or from his house. It is also submitted that there is no independent witness of the seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 30.11.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioner was arrested on spot with the seized motorcycle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 10,000/- (Rs. Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Amba P.S. Case No. 289 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge-Excise, 1st Aurangabad, Bihar.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Ten Thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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