

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13408 of 2023

Arising Out of PS. Case No.-409 Year-2021 Thana- TAJPUR District- Samastipur

Suresh Ram S/O Sri Anandi Das @ Anandi Ram R/O Village- Sarangpur,
P.S.- Tajpur (Halai O.P.), And Distt- Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Prakash Sahay
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1355.4
litres of Indian Made foreign Liquor from a Tata 407
vehicle bearing Reg. No. UP-13P-7423. 303 litres of
illicit liquor from Maruti car.

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, Kailash Ram, before the police, which has got no evidentiary value in the eye of law. There is no independent witness of the alleged seizure. 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 06.12.2022 A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 as well as period under custody, 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 2, Samastipur in connection with Tajpur P.S. (Halai O.P.) Case No. 409 of 2021.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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