

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9884 of 2023

Arising Out of PS. Case No.-583 Year-2022 Thana- SURSAND District- Sitamarhi

SURAJ KUMAR S/O PARMESHWAR RAI @ MUKESH THAKUR
Resident of village- Patdaura, Ward No.- 12 @ Bhikha, P.S.- Bajpatti,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Madan Kumar

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 prayed for regular bail in connection
with Sursand P.S. Case no. 583 of 2022 instituted for the offence
under Section 414 of the IPC and Section 30(a) of the Bihar
Prohibition and Excise Act.

As per FIR, the accusation against the petitioner is of
carrying illicit liquor of 45 liters by a motorcycle bearing
registration no. BR06X7835 thereafter, police personal reached
at the place of occurrence and arrested the petitioner on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case. A



statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the vehicle in question. No any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 11.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the alleged vehicle from where the recovery has been made is alleged to be driven by this petitioner at the time of his arrest.

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

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 released on bail in connection with Sursand P.S. Case No. 583 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Special Excise Court-II, Sitamarhi.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
10,000/- (Rs. Ten thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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