

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16873 of 2023

Arising Out of PS. Case No.-860 Year-2022 Thana- DIGHA District- Patna

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Guddu Kumar @ Dhiraj Kumar Son Of Dinesh Prasad Singh R/O Village-
Kanchanpur, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Special
Excise Case No. 8676 of 2022 arising out of Digha P.S. Case
No. 860 of 2022 dated 13.12.2022 registered for the offences
punishable under Sections 30(a), 36 and 41(1) of Bihar
Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that in the instant matter two cars were found in
suspicious condition and when the police intercepted the cars
the petitioner and three co-accused persons were found sitting in
Swift Desire car but in actual the petitioner had come at the
alleged place for some other purpose and he was arrested on
suspicion and he has no concern with the alleged seized vehicle

as well as 36 litres of English wine which is stated to have been recovered from seized vehicle and amongst the arrested persons one namely, Himanshu has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 12581 of 2023 and petitioner's case is completely identical to him. Further submissions are that the petitioner has no concern with the recovery of 193.5 litres of English wine which is stated to have been made in following with the disclosure made by Anish Kumar Pintu and against the petitioner there is criminal antecedent of one case in which he is on bail and in the present matter he has been languishing in jail since 13.10.2022 and against him the investigation has been completed.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's custody period and also the fact that one co-accused namely, Himanshu carrying similar nature of allegation is on bail and petitioner's case is completely identical to the said co-accused and against the petitioner the investigation has been completed, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten

Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Special Excise Case No. 8676 of 2022 arising out of Digha P.S. Case No. 860 of 2022.

(Shailendra Singh, J)

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