

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13064 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- BHAPTIAHI District- Supaul

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Suman Kumar Son Of Ram Chandra Yadav R/V- Littiyahi Ward No. 17, P.S.-
Pipra, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Patla Kumari

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 918 liters illicit Nepali liquor sealed in sacks in pickup van of which the petitioner was alleged to be Khalasi.

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 of illicit liquor or with the



vehicle in question. No any incriminating article has been recovered from conscious or constructive possession of the petitioner. Moreover, similarly situated co-accused namely, Awadhesh Kumar has already been granted bail by a co-ordinate Bench of this Court vide order 10.2.2023 passed in Cr. Misc. No. 68025 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 24.8.2022.

Learned APP appearing for the State has vehemently 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 of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhaptiyahi P.S. Case No. 101 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, Excise, Supaul.

(Sunil Kumar Panwar, J)

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