

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23974 of 2023

Arising Out of PS. Case No.-364 Year-2022 Thana- CHAKAND District- Gaya

SUJEET KUMAR son of Late Jhingan Prasad R/O -Village Tel Bigha Pakki
Gali Ps- Kotwali Gayal Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munna Prasad Singh, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chakand P.S. Case No. 364 of 2022 dated 04.11.2022 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The main submissions advanced by learned counsel
for the petitioner are that the instant matter relates to the
recovery of 35 litres of illicit country made liquor (*Mahua*) and
the same is stated to have been recovered from a two wheeler
(*scooty*), which is registered in the name of this petitioner and as
per the allegation, the said liquor as well as the said vehicle was
found in the possession of this petitioner but in actual, no liquor
as alleged was recovered from the possession of this petitioner



and the police falsely prepared the matter and planted the alleged liquor and no independent person was made witness of the search and seizure of the alleged liquor while the place of recovery as mentioned in the FIR is a busy public place and two police personnel have been made witnesses of the seizure. Further submissions are that the petitioner has fair and clean antecedent and has been languishing in jail since 05.11.2022 and against him, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and completion of the investigation against him as well as his custody period, 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 the Court concerned in connection with Chakand P.S. Case No. 364 of 2022.

(Shailendra Singh, J)

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