

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24520 of 2023

Arising Out of PS. Case No.-553 Year-2022 Thana- SAHPUR District- Patna

SUNIL SAH @ SUNIL SAW @ SUNIL SHAH Son of Ram Naresh Sah R/V-
Sherpur, PS- Maner, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ejaz Akhter, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Special Excise Case No. 2012 of 2022 arising out of Shahpur
P.S. Case No. 553 of 2022, dated 12.11.2022 registered for the
offences punishable under Sections 30(a), 41 and 56 of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the present matter relates to the recovery of 210
litres of *country-made wine* and the same is stated to have been
recovered from a *tempo* and petitioner is stated to have been
found in the said *tempo*, but in actual, petitioner was *bonafidely*
performing his duty as a driver in the said *tempo* when the
alleged wine was recovered and he had no knowledge of the



loaded wine and he has been languishing in jail since 13.11.2022 having fair and clean antecedent and against him the investigation has been completed.

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

5. Considering the above submissions and mainly petitioner's fair and clean antecedent and completion of investigation against him and his custody period as well as his profession, 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 concerned Court in connection with Special Excise Case No. 2012 of 2022 arising out of Shahpur P.S. Case No. 553 of 2022.

(Shailendra Singh, J.)

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