

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25545 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- KATEYA District- Gopalganj

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SURENDRA KUMAR SON OF NANTUN RAI RESIDENT OF VILLAGE-
KUMHRAR, P.S.- TARIYANI CHHAPRA, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

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

the learned APP for the State.
2. Petitioner seeks regular bail in connection

with Kateya P.S. Case No.96 of 2023 dated 02.03.2023

registered for the offence(s) punishable under Section(s) 414 of

the Indian Penal Code and Section(s) 30(a) of the Bihar

Prohibition and Excise Act.
3. The main submissions advanced by the

learned counsel for the petitioner are that the instant matter

relates to the recovery of 56.16 litres of foreign liquor from a

motorcycle and 483.84 litres of foreign liquor from a D.C.M.

Truck but the petitioner is only concerned to the recovery made

from the alleged motorcycle and as per allegation he was found

having his possession over the alleged motorcycle as well as



seized wine but the petitioner was falsely roped in this case merely on suspicion and he has fair and clean antecedent and the alleged wine was not recovered from his conscious possession and the compliance of provisions of Section 100 of Cr.P.C. was not made by the police and he has been languishing in jail since 03.03.2023 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, his young age and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Kateya P.S. Case No.96 of 2023 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.

(Shailendra Singh, J)

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