

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47085 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- NAUBATPUR District- Patna

SUNIL KUMAR @ SUNIL BHARADWAZ @ SUNIL SHARMA @ SUNIL
S/O LATE KALYAN SHARMA R/O- C71, ETA First Greater Noida, PS.
Beta II, Gautam Budh Nagar, Noida (Uttar Pradesh). Permanent Resident of
Village- Noorpur Mandiya, PS. Gluwathi, Dist. Bulandshahar (Uttar Pradesh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 420, 467, 468, 471 of
the Indian Penal Code and Section 30(a), 32(i), (ii), (iii), 41(i)
(ii) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 4434.405
litres of IMFL was recovered from from a truck bearing
Registration no. MH 14 EM 2321 and two persons, namely,
Kamaljeet and Jitendra were apprehended.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner is not named in the FIR. He has no concern



either with the recovered liquor or with the vehicle in question. Petitioner is holding license under Himachal Pradesh Excise Act for manufacturing, bottling and sale of liquor. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 20.8.2022 passed in Cr. Misc. No. 36746 of 2022. Petitioner was firstly arrested in Amba PS Case No. 34 of 2021 and thereafter remanded in the present case. He is languishing in judicial custody since 23.12.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur in connection with Spl. Case (Excise) 602/2022 Naubatpur PS Case No. 221 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

