

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47097 of 2023

Arising Out of PS. Case No.-425 Year-2022 Thana- BIHTA District- Patna

SUNIL KUMAR @ SUNIL BHARADWAZ @ SUNIL SHARMA Son of
Late Kalyan Sharma Resident of C71, ETA First Greater Noida, P.S. - Beta II,
Gautam Budh Nagar, Noida (Uttar Pradesh) Permanent resident of village -
Noorpur Mandiya, P.s. - Gluwathi, Distt. - 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. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-09-2023 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 Section 30(a), 31,32(i) (ii)
(iii)/36/41(I)(II) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 4434.405
IMFL from a Truck bearing Reg. No. MH 14EM2321 and driver
and helper were arrested on the spot who disclosed the name of
petitioner.

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 case. He has no
concern with the alleged recovery of liquor or with the vehicle



in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The other co-accused persons have already been enlarged on bail by another coordinate Bench of this Court vide order dated 25.11.2022 passed in Cr. Misc. No. 49804 of 2022. Petitioner is languishing in judicial custody since 16.02.2023.

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 Bihta P.S. Case No. 425 of 2022.

(Sunil Kumar Panwar, J)

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