

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46419 of 2023

Arising Out of PS. Case No.-41 Year-2021 Thana- CHANDAN District- Banka

SURAJ KUMAR, Son of Late Jagdhar Mahton, Resident of village - Tika Rampur, P.s. - Muffasil, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Chandan P.S. Case No. 41(A) of 2021 dated 06.03.2021 registered for the offences punishable u/ss 30(a) (g) and 32(2) of the Indian Penal Code.

4. As per the prosecution case, 120 litres of illicit country made liquor was recovered from a *Jugad* vehicle of the co-accused Phulo Singh who disclosed the name of the petitioner and also stated that the illegal business of liquor was being run by the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The name of the petitioner was disclosed by the co-accused Phulo Singh who has already been granted bail by the Coordinate Bench of this court vide order dated 14.12.2021 passed in Cr. Misc. No. 37600 of 2021. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Chandan P.S. Case No. 41A / 2021 arising out from Chandan P.S. Case No. 41/2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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