

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53083 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- BASANTPUR District- Siwan

SURESH BIN @ SURESH PRASAD S/O LATE MUNNI LAL BIN R/O
VILLAGE- BALA, PS. BASANTPUR (LAKDI NAVIGANJ O.P.), DIST.
SIWAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 06-10-2023 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The petitioner is in custody since 24.01.2023 in connection with Basantpur (Lakri Nawiganj O.P.) P.S. Case No. 28 of 2023 for the offences punishable under Sections 272/273/328/308/304/120(B)/34 of the Indian Penal Code and Sections 30(a)/37(b)/33/34 of the Bihar Prohibition of Excise Act.

3. Five litres of country made liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to ulterior motive. He further submits that the petitioner is named in the



F.I.R. along with 19 other accused persons and there is nothing specific against the petitioner. Learned counsel for the petitioner next submits that similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 27.06.2023 passed in Cr. Misc. No. 17176 of 2023.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for grant of bail.

6. Considering the facts and circumstances of the case and also the fact that similarly situated co-accused persons have been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court No. 1, Siwan in connection with Basantpur (Lakri Nawiganj O.P.) P.S. Case No. 28 of 2023.

7. The petitioner is directed to mark his attendance twice a month on alternative Sundays.

(Sandeep Kumar, J)

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