

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62439 of 2023

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

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Suraj Kumar @ Suraj Chaudhary @ Karku Chaudhary Son Of Raju Chaudhary @ Raja Chaudhary Resident Of Village-Kharidi Bigha, Police Station-Nawada (Nagar), District-Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 30(a), 30(d), 30(f), 33, 41 and 52 of the Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of 5000 liters of spirit from a Truck.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not



named in the FIR. The name of the petitioner has come into light on the basis of confessional statement of co-accused Arvind Yadav. He submitted that the petitioner has no concern either with the seized vehicle or with the spirit in question. He submitted that one co-accused namely, Arvind Yadav, is the owner of the said truck who has already been granted bail by a Co-ordinate Bench vide order dated 16.05.2022 passed in Cr. Misc. No. 58962 of 2021 and its analogous case. He is languishing in judicial custody since 22.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Exclusive Special Excise Judge, 1st,
Nawada in connection with Nawada (Nagar) P.S. Case
No. 602 of 2020.

(Sunil Kumar Panwar, J)

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