

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57121 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- AAYAR District- Bhojpur

SURAJ KUMAR SON OF BRIJ BIHARI SINGH @ BRIJBIHARI SINGH
@ VRIJBIHARI SINGH RESIDENT OF VILLAGE - MADRAHAN,
POLICE STATION - CHARPOKHARI, DISTRICT - BHOJPUR AT ARA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar
For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
80 liters of illegal country-made *Mahua* from a motorcycle,
which was being driven by the petitioner and other co-accused
was sat as pillion rider.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot. He
submitted that the petitioner does not wholly deny the contents



of the FIR, and in fact, he seeks to admit it to the extent that on the fateful day, he was offered lift by co-accused Raja Kumar, and unfortunately the petitioner accepted the same, being completely unaware that any illegal article is being carried on the said motorcycle. Petitioner has no concern either with the seized vehicle or with the wine in question. The provision of Section 100 of the Cr.P.C. has not followed in this case. He is languishing in judicial custody since 28.07.2023.

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

6. 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 Court below in connection with Aayar P.S. Case No. 109 of 2023.

(Sunil Kumar Panwar, J)

arish/-

U			
---	--	--	--

