

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57229 of 2023

Arising Out of PS. Case No.-259 Year-2021 Thana- CHAKAI District- Jamui

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SUDHIR KUMAR @ SUDHIR KUMAR SAW, aged about 26 years, male,
S/O SRI VIJAY SAH @ VIJAY SAW, R/O VILLAGE- KACHARI ROAD
74, PS- GIRIDHI, DIST.- GIRIDIH (JHARKHAND)... .. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-08-2023 1. Heard learned counsel for the petitioner and the

learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chakai P.S. Case No. 259 of 2021 dated 17.12.2021 registered
for the offence(s) punishable under Section(s) 272/273 of the
Indian Penal Code and Sections 30(a)/41 of the Bihar
Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 178.875 litres of foreign liquor from a car and as
per prosecution three co-accused persons were present in the
said vehicle when it was intercepted by the police but
admittedly the petitioner was not apprehended at the spot and
his name came into light in the confessional statement of co-
accused, namely, Pravin Kumar and except this there is no
material against the petitioner to connect him to the alleged



recovery. Further submissions are that the apprehended co-accused persons, namely, Pravin Kumar and Munna Kumar have been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.11704 of 2022 and petitioner's case stands on better footing from the said co-accused persons as he was not apprehended at the spot. Further submissions are that though against the petitioner there are criminal antecedents of two cases but the said cases were lodged under the offences of IPC and N.I Act in which he is on bail. Further submission is that the petitioner himself surrendered before the trial court on 07.08.2023 and since then he has been languishing in jail.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, this Court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Chakai P.S. Case No. 259 of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

Sanjay/-

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(Shailendra Singh, J)

