

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61688 of 2023

Arising Out of PS. Case No.-226 Year-2023 Thana- CHAPRA TOWN District- Saran

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SUDISH KUMAR son of Parbhunath Ray Village- Raujapokhara Ps- Chapra
Town Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Rakesh Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Jitendra Kumar Singh,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Chapra Town P.S. Case No. 226 of 2023 registered for the
offence punishable under Sections 332, 333, 353, 341, 323, 147,
148, 149, 504 and 506 of the Indian Penal Code and Sections
30(a) and 45 of the Bihar Prohibition and Excise Act, 2016.

3. Allegation is of recovery of 2.7 litres of English
wine from a Gumti. Two motorcycles and two mobile phones
were also seized from the place of occurrence.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and he has falsely
been implicated in the case merely on suspicion. Learned
counsel submits that the parked motorcycle bearing Registration
No. BR-04NA1707 and one one Android phone of the petitioner



were recovered from the place of occurrence and on the basis of the same, he has been roped in the present case. He has no concern either with the seized liquor or trade of liquor in any manner. The allegation levelled against the petitioner is not specific rather general and omnibus. Petitioner has clean antecedent. Similarly situated co-accused namely Ranjeet Kumar Sharma and Luvkush Kumar have been released on anticipatory bail by a co-ordinate Bench of this Court vide orders dated 19.08.2023 and 28.08.2023 passed in Cr. Misc. Nos. 52409 of 2023 and Cr. Misc. No. 39826 of 2023

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner and the fact that similarly situated co-accused have been released on anticipatory bail by a co-ordinate Bench of this Court, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Exclusive Special Judge, Excise, Saran at Chapra in connection



with Chapra Town P.S. Case No. 226 of 2023, subject to the
condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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