

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68916 of 2023

Arising Out of PS. Case No.-310 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Sukul Kumar S/O Dharmnath Ram R/O Village- Lachhi Kharea, P.S-
Gopalpur, Distt.- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kuchaikote P.S. Case no.310 of 2023 registered under sections 414 and 34 of the Indian Penal Code and sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. As per the prosecution case, 46.2 litres of liquor was recovered from the motorcycle in question and the petitioner was taken into custody.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from his conscious possession. The motorcycle belongs to one Akash Kumar @ Bhuwar who is said to have fled from the place of occurrence. The petitioner is in custody since 23.6.2023 and has no criminal



antecedent.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not being the owner of the motorcycle, his being in custody since 23.6.2023, charge-sheet having been submitted in the case and the petitioner not having any antecedent under the Bihar Prohibition & Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Kuchaikote P.S. Case no.310 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge IV- Cum- Exclusive Special Judge Excise-II, Gopalganj.

(Partha Sarthy, J)

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