

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69793 of 2023

Arising Out of PS. Case No.-650 Year-2023 Thana- SITAMARHI District- Sitamarhi

Sumant Kumar Son Of Ram Darshan Thakur Resident Of Village- Bedaul
Baj, Ps- Purnahiya, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sitamarhi P.S. Case No. 650 of 2023 registered on 17.08.2023 for the alleged offences under Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2018.

03. As per prosecution case, the police received secret information about petitioner and two other co-accused persons bringing a huge consignment of illicit liquor by a four-wheeler and they were out to deliver it. A raid was conducted and three persons tried to flee away from a red coloured vehicle. Two of them made good their escape and this petitioner was apprehended. On search of the vehicle 900 litres of Nepali country made liquor was recovered. The petitioner disclosed the name of two other co-accused persons who fled away from the



spot.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner has no concern either with the recovered liquors or the vehicle from which the recovery has been shown. There is no specific allegation against the petitioner and the allegations are general and omnibus against the petitioner and two other co-accused persons. The petitioner is in custody since 17.08.2023 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail submitting that huge quantity of illicit liquor was recovered and the petitioner is involved in dealing of the same.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Sitamarhi in connection with Sitamarhi P.S.



Case No. 650 of 2023, subject to the conditions mentioned in
Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the court below.

(iii) In case of absence for three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

U			
---	--	--	--

