

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70492 of 2022

Arising Out of PS. Case No.-429 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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SURJEET KUMAR S/o Late Baleshwar Mahato R/v- Kiul Basti, P.S.-
Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Excise P.S. Case No.429 C2 of 2022, registered for the offences punishable under Sections 30(a), 37(i) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

The allegation is regarding the petitioner having been apprehended in a drunken condition from a place situated under the bridge at Patna Railway Line.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he



has been falsely implicated in the present case and he is languishing in custody since 26.10.2022. It is submitted that only because the petitioner had earlier been convicted for consuming illicit liquor on an earlier occasion, the court below has not granted bail to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V-cum-Exclusive Special Excise



Court No.2, Excise Act, Lakhisarai in connection
with Excise P.S. Case No.429 C2 of 2022.

(Mohit Kumar Shah, J)

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