

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68658 of 2022

Arising Out of PS. Case No.-365 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

SURAJ KUMAR S/o Nanu Yadav @ Nunu Yadav R/o- Gandhi Nagar,
Manpur, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Gaya Rail P.S. Case No. 365 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 230 liters of illicit liquor from the platform of the Railway Station in question and the petitioner was apprehended from the spot.

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



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 11.9.2022. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated merely on suspicion, inasmuch as he was standing near the sack containing the illicit liquor.

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, apart from the fact that he is having a clean antecedent, 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 Excl. Spl. Excise Judge,
Court No. 2, Gaya in connection with Gaya Rail P.S.
Case No. 365 of 2022.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

