

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71907 of 2022

Arising Out of PS. Case No.-374 Year-2022 Thana- KADAMKUAN District- Patna

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SRIKANT KUMAR @ SURYAKANT KUMAR S/O RAMPRAVESH RAY
Resident of Park Road, P.S.- Kadamkua, District- Patna (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, 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 Special Case No. 4089 of 2022, arising out of Kadamkuan P.S. Case No. 374 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 86.400 liters of illicit liquor from the lane in question and the petitioner's name has transpired in the present case on suspicion.

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 22.8.2022. The learned counsel for the petitioner has further submitted that only since the petitioner is an accused in three other cases, on which he is on bail, he has been falsely implicated in the present case, however, the fact is that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the place from where the illicit liquor has been recovered belongs 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 fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the place from where the illicit liquor has



been recovered belongs to the petitioner, 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 Special Judge-Excise, Patna in connection with Special Case No. 4089 of 2022, arising out of Kadamkuan P.S. Case No. 374 of 2022.

(Mohit Kumar Shah, J)

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