

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75071 of 2022

Arising Out of PS. Case No.-394 Year-2022 Thana- TAJPUR District- Samastipur

SUDHIR ROY S/o Arjun Roy R/o Village- Chaklalsahi, P.S.- Tajpur Halai,
Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 103.170 illicit foreign liquor from from the maze crop field of one Bhuwaneshwar Singh.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor nor the owner the land in question from where the



recovery has been made. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from conscious or constructive possession of the petitioner. Similarly situated co-accused namely, Sanjat Sahni has already been granted bail vide order dated 25.11.2022 in Cr. Misc. No. 57263 of 2022 and the same has been annexed as Annexure-2 with this petitioner. The petitioner is languishing in judicial custody since 13.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tajpur (Halai OP) P.S. Case No. 394 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Court No.2, Samastipur.

(Sunil Kumar Panwar, J)

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