

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5318 of 2023**

Arising Out of PS. Case No.-623 Year-2022 Thana- DARIYAPUR District- Saran

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SUJEET KUMAR @ GOLU KUMAR Son of Arvind Prasad Resident of  
Village - Chanda, P.S.- Athmal Gola, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      28-04-2023                      1.            Heard learned counsel for the petitioner and  
the learned APP for the State.

2.            Petitioner seeks regular bail in connection  
with Dariyapur P.S. Case No.623 Of 2022 dated 18.11.2022  
registered for the offences punishable under Sections 30(a) and  
41(1)(2) of the Bihar Prohibition and Excise Act, 2016.

3.            The main submissions advanced by the  
learned counsel for the petitioner are that the instant matter  
relates to recovery of 308.430 litres of foreign liquor and the  
said recovery was made from two vehicles and petitioner is  
stated to be found in one of the seized vehicle Nexa S-Cross  
from which only 750 ml foreign liquor was recovered as per the  
prosecution and the petitioner was neither driver nor owner of  
the said car and he was simply travelling in the said car as a



bonafide passenger and he has fair and clean antecedent and he is a very young person and one co-accused person namely Rishu Kumar has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.1413 of 2023.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, his young age and one co-accused mentioned-above is on bail and against the petitioner investigation has been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Dariyapur P.S. Case No.623 Of 2022.

**(Shailendra Singh, J)**

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