

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82639 of 2023

Arising Out of PS. Case No.-514 Year-2023 Thana- CHHATAUNI District- East Champaran

SURAJ KUMAR S/O Vind Sharma, R/O - vill-Bada Bariyarpur, ps.-
Chhatauni, Dist.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 279, 337, 414 of the
IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
204 liters of illegal foreign liquor from a car.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern either with the seized vehicle or with the wine in
question. He submitted that one co-accused namely, Abhigyat
Kumar, who apprehended on spot and on his confessional
statement the name of the petitioner has come into light.



Petitioner is not arrested on spot. No incriminating article has been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. He is languishing in judicial custody since 14.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Chhatauni P.S. Case No. 514 of 2023.

(Sunil Kumar Panwar, J)

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