

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17684 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- SULTANGANJ District- Patna

SURAJ KUMAR S/O GULAB SAO @ GULAB SAH Resident of Mohalla-
Shivpur, Tikia Toli, P.S- Sultanganj, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of eight cases and allegation of
recovery of 720 ml liters of liquor from a bag.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and even the bag does not belong to him and the
alleged recovery is from a place which is accessible to public at
large and he came to be implicated at the instance of local
people. It is further submitted that in ninety percent of the cases



the police is implicating the accused persons either at the instance of Chowkidar or local people, but it absolutely does not stand to reason that if anyone had seen the occurrence and had identified the petitioner then why the said person did not inform the police earlier.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.40,000 /- (Rupees Forty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna City in connection with Sultanganj P.S. Case No.483 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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