

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18623 of 2024

Arising Out of PS. Case No.-180 Year-2023 Thana- TAJPUR District- Samastipur

SUMAN KAPAR Son of Harak Kapar Resident of Village-Gunai Basahi,
Ward No. 3, Police Station-Tajpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anu Priyadarshni, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Tajpur P.S. Case No. 180 of 2023 lodged under Sections 30(a)
and 41(i) (ii) of Bihar Prohibition and Excise (Amendment) Act,
2018.

3. As per the prosecution case, F.I.R. has been lodged
against two named accused persons including the petitioner and
the total recovery of 76.755 liter foreign liquor has alleged to be
made, which is subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that from the seizure list, it become clear that the said recovery
has been made from the maize field, Brahm Asthan and has not



been recovered from the conscious possession of the petitioner. He submits that the petitioner has unnecessarily been made accused in the present case.

5. Counsel for the petitioner submits that petitioner is in custody since 06.02.2024 having one criminal antecedent in which he is on bail and charge-sheet has already been filed in this case.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-2, Samastipur /Court Concern, Samastipur in connection with Tajpur P.S. Case No. 180 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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