

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25581 of 2024

Arising Out of PS. Case No.-481 Year-2023 Thana- KADAMKUAN District- Patna

Suraj Kumar @ Suraj Prasad Son of Late Birju Prasad Resident of Kajipur
Road No.-04, Police Station- Kadamkuan, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Adv
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 23-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kadamkuan P.S. Case No. 481 of 2023 dated 10.08.2023 registered for the offences punishable u/s 30(a), of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1203.270 litres of illicit country made liquor was recovered from the bike, scooty and the room from kothi makaan.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired due to



confessional statement of co-accused *Sintu Kumar*. The petitioner is not the owner of the said vehicles and the same was not being driven by him at the time of the alleged recovery. It is further submitted that the petitioner is a rickshaw puller. The petitioner has no concern with the alleged recovery. It is submitted that the co-accused has already been granted Anticipatory Bail by the co-ordinate bench of this Court vide order dated 01.02.2024 passed in Cr. Misc. No. 84190 of 2023. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 03.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Kadamkuan P.S. Case No. 481 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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