

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39000 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- Excise P.S. District- Sheikhpura

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SUNIL KUMAR @ SUNIL CHAUHAN S/O BHARAT CHOUHAN R/O
VILLAGE- SAKIN MASAUDHA, P.S- ARIYARI, DISTT.- SHEIKHPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sheikhpura Excise Police Station Case No. 193/2024 lodged on
18.04.24 under Section 30(a)/32/41/56(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018

3. As per the prosecution case, the FIR has been
lodged against two named persons including the present
petitioner. The total recovery of 34 *litres* illicit liquor is the
subject matter of the present case along with instruments used
for preparing of liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 19.04.2024 having no criminal



antecedent. From the seizure list, it becomes scrystal clear that the said recovery has been made from a public place near a *pokhra*.

5. Learned counsel for the State opposes the prayer for bail and submits that not only the wine rather the instruments relating to preparation of wine has also been recovered from the petitioner’s possession.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, but only after three months of the 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 Exclusive Excise judge, Sheikhpura, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J.)

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