

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39146 of 2024

Arising Out of PS. Case No.-180 Year-2024 Thana- Excise P.S. District- Sheikhpura

Sudhir Kumar Son of Naresh Ram Resident of village - Murarpur, Ward No.-
14, Police Station - Korma and District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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 P.S. Case No. 180 of 2024, lodged on
12.04.2024 under Sections 30(a)/32/41/56(a)/56(b) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, FIR has been lodged
against the present petitioner. Total 20 *litres* of country made
liquor has been recovered which is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the alleged illicit liquor has been recovered
from a pulsor motorcycle and the petitioner is not the owner of



the said motorcycle. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are two criminal cases pending against him in which in both the cases, he is on bail. The petitioner is in custody since 13.04.2024 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and this aspect may be taken into consideration while considering the bail application of the petitioner.

6. 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 Exclusive Special Excise Judge, Sheikhpura in connection with Sheikhpura Excise P.S. Case No. 180 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose



details are as follows:-

(I)- Sheikhpura Excise P.S. Case No. 240 of 2019.

(II)- Sheikhpura Excise P.S. Case No. 124 of 2019.

(Dr. Anshuman, J.)

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