

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40609 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- SRIPUR District- Gopalganj

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Sujeet Kushwaha @ Suchit Kushwaha, S/o Jitendra Bhagat, R/o Village-
Ranipur, P.S.- Kateya, Dist-Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pritish Ranjan, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-06-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Sripur P.S. Case No.14 of 2024 registered for the

offence punishable under Section 30(a) of the Bihar

Prohibition and Excise Amendment Act, 2022.

3. The accused/petitioner named in the FIR and is

in custody since 14.03.2024.

4. Allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where there is recovery of 126 liters of Indian made foreign

illicit liquor.

5. It is submitted by learned counsel for the



petitioner that factual background of this case suggest *prima facie* that recovery cannot be said to be made from conscious physical possession of this petitioner. It is submitted that alleged motorcycle carrying illicit liquor is not connected in any manner with this petitioner. While concluding argument, it is submitted that petitioner found involved in one more criminal case of similar nature, where he is on bail and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid facts and circumstances and by taking note of fact as recovery *prima facie* not appears to be made from conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 14.03.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XIII-cum-Special Judge, Excise-1, Gopalganj in connection with Sripur P.S. Case No.14 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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