

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46057 of 2024

Arising Out of PS. Case No.-25 Year-2023 Thana- KARPURIGRAM District- Samastipur

Surendra Das @ Suresh Das S/o Yogeshwar Das @ Yugeshwar Das Resident
Of Village-Motipur, P.S.- Tajpur, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Adv.

Mr. Alok Kumar, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-07-2024 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 Karpurigram P.S. Case No. 25 of 2023 dated 22.04.2024 registered for the offences punishable u/ss 420, 466, 468, 471, 120B read with Section 34 of the Indian Penal Code and u/ss 30(a), 32(i)(iii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 3201.120 litres of illicit country made liquor was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The arrested co-accused, Dinesh Nayak and Sumer



disclosed the name of the petitioner. The petitioner is neither the owner nor the driver of the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The co-accused person has already been granted anticipatory bail by this court vide order dated 14.12.2023 passed in Cr. Misc. No. 76584 of 2023. The petitioner has 11 criminal antecedents and he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 22.04.2024.

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 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, Samastipur in connection with Karpurigram P.S. Case No. 25 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates



*without reasonable cause, the bail bond of
the petitioner is liable to be cancelled.*

*(ii) If the petitioner is found involved in
similar nature of offence in future, the
prosecution will be at liberty to move for
cancellation of his bail bond.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

