

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51063 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- Excise P.S. District- Samastipur

Sudhir Kumar @ Sudhir Kumar @ Sughar Kumar Son Of Phaguni Sahani
Resident of Vill- Shambhupatti, P.S.- Karpurigram, District- Samstipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Santosh Kumar, learned counsel

appearing on behalf of the petitioner and Ms. Veena Kumari

Jaiswal, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Patori Case No. 63 of 2024 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Act.

3. Allegation is of recovery of 19.740 litres of foreign
liquor from possession of two co-accused persons, namely,
Ramlakhan Kumar and Sushil Sahni, while they were trying to
flee away on a Motorcycle bearing Regd. No. BR33BA9407
and they disclosed the name of the petitioner as one of his
accomplices.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused persons and confessional statement made before police has no evidentiary value. He further submitted that petitioner has no concern either with the seized liquor or with the said motorcycle.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-02, Samastipur in connection with Excise P.S. Patori Case No. 63 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will



automatically lose its force.

(Purnendu Singh, J.)

Sudhanshu/-

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