

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83202 of 2023

Arising Out of PS. Case No.-164 Year-2021 Thana- BANIAPUR District- Saran

Sunil Kumar @ Sunil Bhardwaj @ Sunil Sharma Son Of Late Kalyan Sharma
Resident Of Village- Noorpur, P.S. Gulati, District- Bulandshahar, Uttar
Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 420 and 414 of the IPC
and Sections 30(a), 41(i)(ii) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, there has been recovery of
2808 liters of illegal IMFL from a truck.

4. It is submitted by learned counsel for the petitioner
that petitioner is innocent and has committed no offence. He has
been falsely implicated in this case. Petitioner has not been
apprehended on spot. Neither he is named in the F.I.R. nor he
has any concern either with the seized vehicle or with the wine



in question. No incriminating article has been recovered from the conscious possession of the petitioner. Only on the basis of suspicion and due to his criminal antecedents, the petitioner has been made accused in the present case. Similarly situated other accused person has already been enlarged on bail by this Bench vide order dated 18.12.2023 passed in Cr. Misc. No. 81615 of 2023. He is languishing in judicial custody since 01.11.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Exclusive Special Judge, Excise-I, Saran at Chapra in connection with Baniapur P.S. Case No. 164 of 2021.

(Sunil Kumar Panwar, J)

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