

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86339 of 2024

Arising Out of PS. Case No.-270 Year-2022 Thana- CHANDI District- Bhojpur

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Sujeet Kumar S/o Raj Kumar Yadav @ Raj Kumar Singh R/o Village-
Salimpur, P.S.- Chandi, District- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mrs. Priya, Advocate Mr. Prabhat Kumar Singh, Advocate
For the State	:	Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-12-2024 Heard Ld. counsel for the Petitioner and Ld. APP
for the State.

2. The present petition has been filed on behalf of the
Petitioner, apprehending his arrest, in connection with Chandi
P.S. Case No. 270 of 2022 dated 25.10.2022, registered for the
offences punishable under Sections 30(a) and 36 of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, some *mahua* and six liters of
country made liquor have been recovered on the bank of one
ahar.

4. Ld. counsel for the Petitioner submit that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the recovery of contraband has



been made from the open space and the Petitioner is no way connected with the alleged offence. He also submits that the co-accused, Satendra Yadav has already been granted bail by this Court vide order dated 03.05.2023 passed in Cr. Misc No.9867 of 2023.

5. It is also stated in paragraph no. 2 of the bail petition that the Petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the Petitioner has been made accused in one other case in which he is on bail.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the Petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court-Ist, Bhojpur at Ara, in connection with Chandi P.S. Case No. 270 of



2022, subject to the conditions as laid down under Section 438
(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the Petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the Petitioner after hearing him and getting satisfied that the Petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the Petitioner.

(Jitendra Kumar, J.)

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