

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33496 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- SABAUR District- Bhagalpur

Sushil Kumar S/O Kapildeo @ Kapildeo Roy Resident of vilalge- Harpur
Bhindi, Tajpur, P.s.- Tajpur, District- Samastipur. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sabour P.S. Case No. 55 of 2025 registered for the offences punishable under Sections 30(a) and 32(ii) of the Bihar Prohibition and Excise Act.

3. Recovery of 398.025 has been made from a Tata 407 Vehicle which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He has got no criminal antecedent. He has no concern with the alleged recovery or the vehicle, he is simply a driver. The petitioner was asked by the co-accused Ajit Singh that the Tata 407 vehicle is running under his supervision along with other vehicle and assured him that he would get handsome price for



transporting the vehicle as he was in dire need of delivery of the mustered oil at Begusrai thereafter the petitioner after believing the same got ready to transport the vehicle but he was arrested by the police. Petitioner is in custody since 15.02.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Bhagalpur in connection with Sabour P.S. Case No. 55 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Prabhakar/-

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