

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43111 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Sudhir Kumar S/o Amrit Sah R/o Village- Basant Jagjivan, P.S.- Purnahiya,
Dist.- Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. SSB, through the Asst. Commandant, D. Coy., 51st BN., SSB, Sitamarhi,
Dist.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sangeet Deokuliar, Advocate
For the State	:	Mr. Manoj Kumar, A.P.P.
For the O.P. No. 2	:	Mr. Brajesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.

2. The petitioner seeks regular bail in a case registered
under Section 317(5) of the Bharatiya Nyaya Sanhita, Sections
25 (1-b)(b), 26, 35 of the Arms Act and Section 30(a) of Bihar
Prohibition and Excise Act.

3. As per the prosecution case, two accused persons
including this petitioner were riding motorcycle and while they
were trying to flee away but apprehended, and on search, 13.125
litres of illicit liquor, one country made pistol, one cartridge and
one motorcycle bearing Reg. No. BR30-AN-6995 was
recovered from co-accused and 9.375 litres illicit liquor was
recovered from this petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Further submission is that petitioner is a student and has never indulged in such type of activities. Petitioner has one criminal antecedent which does not belong to the Excise Act. Petitioner is in custody since 13.03.2025. Charge-sheet has already been submitted in this case and there is no chance of absconding of petitioner or tampering with the evidence. Petitioner undertakes to cooperate in the trial.

5. Learned APP for the State and learned counsel for the opposite party no. 2 have opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case as well as the submissions of learned counsel for the parties so also the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Sitamarhi in connection with Majorganj P.S. Case No.94 of 2025.

(Sunil Dutta Mishra, J)

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