

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85264 of 2024

Arising Out of PS. Case No.-354 Year-2024 Thana- CHAKIA District- East Champaran

Kundan Kumar, Son of Deepak Sah, Resident of village- Near Purana, S.R.
A.P. college, P.S.- Chakia, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Chakia P.S. Case No. 354 of 2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution is that altogether 138.145 liters of Indian Made Foreign Liquor was recovered from second story of the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. During course of the argument, learned counsel for the petitioner has submitted that from perusal of the seizure list, it will transpire that the same is in printed form



which shows that the seizure was not made at the place of occurrence. It has also been submitted that petitioner is having one criminal antecedent and on the basis of that antecedent he has been falsely implicated in this case. He is in judicial custody since 26.10.2024.

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 Exclusive Special Excise Court No. 3, Civil Court, East Champaran at Motihari, Bihar, in connection with Chakia P.S. Case No. 354 of 2024.

(Ashok Kumar Pandey, J)

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