

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66031 of 2019

Arising Out of PS. Case No.-155 Year-2019 Thana- BASOPATTI District- Madhubani

SONU KUMAR @ SONU BARI Son of Prakash Bari Resident of Village
Ward No. 8, Laxmisagar, P.S.- Madhubani, Town and District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Basopatti P.S. Case no. 155 of 2019, registered under Section 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the secret information about carrying of Nepali liquor loading on Bolero vehicle in the supervision of two persons boarded on the motorcycle towards Kawaha. The informant and other Police personnel started checking of the vehicle, at that time, two persons were seen on the motorcycle. On seeing the Police personnel, motorcyclists returned back and three persons boarded on the Bolero vehicle started fleeing, while driver of the vehicle was apprehended. The apprehended person



disclosed his name Sudhir Bari and he disclosed the name of his associates Soni Bari (Petitioner) and Mithilesh Jha. On search of Bolero, 70 cartons, each containing 30 pieces of Nepali liquor recovered.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name was disclosed by co-accused Sudhir Bari, who was apprehended on the spot. Further submission is that petitioner is not the owner of the seized Bolero vehicle and he has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum- Special Judge, Excise Act / Incharge Successor Court, Madhubani in connection with Basopatti P.S. Case No. 155 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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