

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12119 of 2020

Arising Out of PS. Case No.-113 Year-2019 Thana- BIDUPUR District- Vaishali

Sonu Kumar Singh, aged about 25 years, Male, Son of Vashishtha Singh,
Resident of Village - Rahimpur, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh
For the Opposite Party/s : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 29-05-2020

The matter has been heard via video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as 'APP'), for the State.

3. The petitioner apprehends arrest in connection with Bidupur P.S. Case No.113 of 2019 dated 19.03.2019 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

4. At the very outset, learned counsel for the petitioner submitted that earlier he had moved for anticipatory bail before this Court in Cr. Misc. No.41324 of 2019 along with



his brother, who was co-accused, and the same was dismissed with observation that they may surrender before the Court below, which was directed to pass order on the same day. Learned counsel submitted that due to personal reasons, the petitioner could not surrender, though his brother surrendered, but unfortunately in his case after 3 months the order was passed.

5. However, he submitted that he may be granted one more indulgence to surrender before the Court below within a fixed time period and the Court below be directed to consider his prayer for bail on the same day.

6. On merits, he submitted that there is allegation that 63 litres of foreign liquor were recovered from the hut, which was outside the house of the petitioner. It was further submitted that the petitioner has no other criminal antecedent.

7. Be that as it may, in view of earlier such prayer having been rejected with observation to surrender and the fair stand of learned counsel for the petitioner that the same observation be reiterated, the present application stands disposed off with liberty to the petitioner to pray for bail on surrendering before the Court below. If the same is done within two weeks from today, the Court below shall consider the case



of the petitioner on merits and pass appropriate order on the same day.

(Ahsanuddin Amanullah, J)

J. Alam/-

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