

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32110 of 2020

Arising Out of PS. Case No.-38 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Sonu Mishra @ Sonu Kumar @ Sanu Kumar @ Sanu Mishra, Son of
Surendra Singh @ Tannu Mishra, Resident of Village- Dhamaur, Police
Station- Katra, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Babita Kumari, Advocate

For the Opposite Party : Dr. Mrityunjaya Kumar Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Bochahan
P.S. Case No.38 of 2020 registered under Sections 272, 273
120B of the Indian Penal Code and Sections 30(a), 32(ii) and
38(ii) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

Learned counsel for the petitioner submits that the
petitioner has no concern with co-accused persons or with the
alleged recovery of over 6,700 liters of foreign liquor from a
truck. She submits that he was neither arrested from the truck
nor is he the owner of the truck in question. He was
apprehended on 30th July, 2020 merely on suspicion, as some



spy had told to the police that the petitioner was amongst the eight miscreants, who was managed to escape from the place of occurrence when the search and seizure of the illicit liquor was made. She further contended that the petitioner was remanded to judicial custody after two days of his arrest on 02.08.2020 and since then he is in custody. The investigation is complete and his custodial interrogation is not warranted. She further contended that similarly circumstanced co-accused, namely, Ravi Kumar has already been granted bail by a Bench of this Court vide order dated 07.12.2020 passed in Cr. Misc. No.32320 of 2020.

Learned counsel for the State has opposed the application for grant of bail to the petitioner. He contended that the petitioner is one of the named accused in the first information report and the allegation in the FIR is that altogether eight persons persons were standing near a truck loaded with liquor and when the police intercepted the truck containing 6,700 liters of illicit liquor, they managed to escape. However, he does not dispute the fact that the case of the petitioner stands on identical footing to that of co-accused Ravi Kumar, who has been granted bail by another Bench of this Court.

Considering the submissions made above especially,



the order granting bail to the co-accused Ravi Kumar, the petitioner is directed to 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 the learned Special Judge, Excise Act, Muzaffarpur in connection with Bochahan P.S. Case No.38 of 2020.

(Ashwani Kumar Singh, J.)

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