

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18442 of 2022**

Arising Out of PS. Case No.-83 Year-2021 Thana- MAHESHKHUNT District- Khagaria

SONU KUMAR S/o Late Rajendra Shah Resident of Ghushmuri Bishanpur,
P.S.- Muffasil, District- Khagaria. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Maheshkhunt Police Station Case No. 83 of 2021, registered for the offences punishable under Sections 30(a)/36/41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police recovered 872 litres of illicit liquor from a pick-up van and arrested the petitioner and the driver of the said pick-up van from the spot.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on basis of disclosure of his name by co-accused Sandeep Kumar @ Gaurav @ Danti, driver of the pick up van, who has been granted bail by this Court, *vide* Criminal Misc. No. 49904 of 2021. One another co-accused has also been granted bail by this Court *vide* Cr. Misc. No. 51910/2021. He further submits that



the petitioner is in custody since 11.01.2022 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, co-accused persons have been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 11.01.2022, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, 2nd Excise, Khagaria, in connection with Maheshkhunt Police Station Case No. 83 of 2021.

(Anil Kumar Sinha, J)

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