

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24277 of 2022

Arising Out of PS. Case No.-74 Year-2018 Thana- RANIGANJ District- Araria

SONU KUMAR MALAKAR Son of Jaydev Malakar Resident of Village -
Beljora, Ward No.- 04, Thana - Triveniganj, Distt.- Supaul (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 272, 273 of the Indian Penal
Code read with Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Allegation is of recovery of 24 cartons of liquor each
bottle containing 375 ml. from the vehicles as detailed in the
FIR.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.03.2022, charge-sheet has been
submitted and is a person with clean antecedent. Learned
counsel further submits that the petitioner was not arrested from



the spot and name of the petitioner was transpired in the confessional statement of co-accused Krishna Kumar and Raj Kumar before the police which has no evidentiary value in the eyes of law.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 21.03.2022, charge-sheet has been submitted and is a person with clean antecedent, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Spl. Excise Case No. 298 of 2018 arising out of Raniganj P.S. Case No. 74 of 2018.

(Satyavrat Verma, J)

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