

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36774 of 2021

Arising Out of PS. Case No.-370 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

SONU KUMAR @ SONU ROY S/o Lalan Roy R/o village- Sansarpur,
Vidhyarthi Tola, Ward No. 11, P.S.- Muffassil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Madan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Mufassil Police Station Case No. 370 of 2020, registered for the
offences punishable under Sections 290/120-B of the Indian
Penal Code and Sections 30 (a)/41 (1) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of the secret information
that illicit liquor was being unloaded from a pick-up van,
proceeded towards the place of occurrence and upon seeing the
police party, three persons succeeded in fleeing away. Upon
search of the pick-up van, a total quantity of 774 litres of illicit



liquor was allegedly recovered from the said pick-up van along with one driving license, which was kept inside the pick-up van.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has only been made accused on the basis of his driving license which was found kept inside the pick-up van. He further submits that the said driving license was given by the petitioner to co-accused Bishwanath Singh, for the purpose of getting a job in his coal depot and he is not concerned in any way with the said pick-up van and/or the illicit liquor recovered from it. He further submits that the petitioner is in custody since 07.01.2021 and charge sheet has been submitted against the petitioner 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 charge sheet has already been submitted, no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner is in custody since 07.01.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Begusarai, in connection with Mufassil Police Station Case No. 370 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

