

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54104 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- BHELDI District- Saran

Sonalal Kumar @ Sonalal Rai Son of Late Harendra Rai Resident of Village -
Hakma, P.S.- Bheldi, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bheldi P.S. Case no. 24 of 2022 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 45 liters
country made liquor in sacks from a motorcycle bearing
Registration No. GJ-06-JP-7498.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case. He has got
no criminal antecedent. The petitioner has no concern with the
alleged recovery of illicit wine or with the place of occurrence.
The said motorcycle from where recovery has been made, does



not belong to the petitioner. The name of the petitioner came into light on disclosure of the local Chaukidar. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bheldi P.S. Case no. 24 of 2022, he will be enlarged 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 learned 1st Exclusive Special Judge Excise, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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