

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57334 of 2022

Arising Out of PS. Case No.-159 Year-2022 Thana- DINARA District- Rohtas

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Sonu Kumar Gupta Son of Shiv Chandra Sah R/V- Dinara, P.S- Dinara, Dist-
Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rameshwar Singh, Advocate
For the State	:	Mr. Narain Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dinara
P.S. Case No. 159 of 2022 registered for the offence under
Sections 30(a)(d)(b)(c)(e)(f), 33 and 36 of the Bihar Prohibition
and Excise Act 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.05.2022.



The allegation against the petitioner is to be involved in the illegal manufacturing of illicit liquor, where 300 liters of spirit was recovered.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor was made from back side of the house of one Manish Singh and, as such, it can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of the petitioner. It is further submitted that compliance of Section 100(4) of the Cr.P.C. was not made in the present case. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances. as mentioned above, as recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dinara P.S.



Case No. 159 of 2022 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned Special Judge, Excise-I,
Rohtas at Sasaram/concerned Court, subject to the conditions as
laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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