

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59302 of 2022

Arising Out of PS. Case No.-52 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Sonu Kumar @ Suman Kumar @ Suman Kumar Singh Son of Late
Abhinandan Singh Resident of village- Harpur Ward No-11, P.S- Barauni,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
Ms. Divya Bharti, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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 Begusarai
Excise P.S. Case No. 52 of 2021 registered for the offence under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.09.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 2728 litres of IMFL/country made liquor from two



different places.

Learned counsel appearing on behalf of the petitioner submitted that the recovery of illicit liquor in present case was made from two different places, one from car i.e., from a Tata Indica Car and other from the abundant house behind the market and both are not connected in any manner with present petitioner and, as such it can be safely gathered that the recovery was not made from the conscious physical possession of this petitioner. It is submitted that abundant house behind the market is joint family property accessible by all family members. While concluding the argument, it has been submitted that petitioner involved in 3 more criminal cases, where he is on bail and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Begusarai Excise P.S. Case No. 52 of 2021 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Begusarai/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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