

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27273 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- CHACKMEHSI District- Samastipur

Sonu Kumar Kapar, Son Of Lakshmeshwar Kapar R/O Village- Namapur,
Ward No.09, (UTTARA Sadhi), P.S.- Chakmehsi, District- Samsatipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 11.25 litre of liquor from a sack near a maize
field.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that even the alleged recovery is from a place, which is
accessible to public at large and does not belong to the petitioner



and he came to be implicated based on mere suspicion without any material to connect the petitioner with the offence.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-01, Samastipur in connection with Chakmehsi P. S. Case No.35 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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