

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43020 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- KISHANGANJ District- Kishanganj

Sonu Kumar Pasi @ Sonu Kumar Son Of Suresh Pasi @ Sukhadev Pasi R/O
Village - Parsharma, Ward No.- 05, P.S.- Supaul, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Kishanganj P.S. Case No. 224 of 2023 registered for the offence
under Sections 30(a), 32, 41 and 47 of the Bihar Prohibition and
Excise Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 03.06.2023.

4. The allegation against the petitioner is to be



engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 356.625 litres of IMFL.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is driver of the alleged vehicle from where illicit liquor was recovered and moreover, nothing surfaced during course of investigation which may suggest that petitioner was under knowledge to have consignment of illicit liquor. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioner and implication appears only being the driver of vehicle, who is a man of clean antecedent, coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 03.06.2023, let the petitioner, above named, is directed to be released on bail in connection with Kishanganj P.S. Case No. 224 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum Special Judge (Excise-I) Kishanganj/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

