

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45664 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Sonu Kumar, Son Of Shivnath Prasad Singh @ Shivnath Mahto Resident Of
Village - Chakhabib, P.S. - Bibhutipur, Distt. - Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 273, 420, 467, 468, 471, 120(B) of the I.P.C. and
Sections 30(a), 30(b), 32, 41, 62 of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 267.840 from a Bolero vehicle and 1439.250 litres
of liquor from the house of Bipin Kumar. Further, three
motorcycles were seized.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be



implicated based on confessional statement of Aadarsh Raj and Jitendra Kumar in police custody, which does not have any evidentiary value. It is next submitted that petitioner is neither the owner of the house, nor the owner of any of the seized vehicle.

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

6. 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court-1, Samastipur in connection with Bibhutipur P. S. Case No.106 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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