

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48280 of 2023**

Arising Out of PS. Case No.-110 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

Sonu Kumar @ Abhishek Singh @ Sanu Kumar S/O Prakash Singh R/O
Village- Gadhi Chock Sahan Road, P.S- Kodarma, Distt.-
Kodarma(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-08-2023 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

Sheikhopur Sarai P.S. Case No. 110 of 2023 registered for the

offence under Sections 188 and 420 of the Indian Penal Code and

Sections 30(a), 32(2) and 41(1) of the Bihar Prohibition of Excise

Act.

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

custody since 16.06.2023.



4. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 154.87 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the bolero vehicle, which was jointly occupied by 6-7 co-passengers, petitioner took a lift for short distance, where nothing appears during the course of investigation, which may suggest petitioner was under knowledge of consignment of illicit liquor. It is submitted that petitioner is neither the owner nor connected in any manner with the alleged vehicle and as such it can be safely said that recovery of illicit liquor was not made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

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

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as recovery of alleged illicit liquor not appears to be made from the conscious physical possession of the petitioner, where petitioner is in custody since 16.06.2023, accordingly, above named petitioner is directed to be released on bail in connection with Sheikhopur Sarai P.S.



Case No. 110 of 2023 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand only) with two sureties of the like amount
each to the satisfaction of learned Additional District Judge-2nd-
cum Sheikhpura/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	
---	--	---	--

