

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52040 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- SAMHO District- Begusarai

Sonu Kumar Son Of Late Bachakun Singh Resident Of Village - Akbarpur
Purani Dih, P.S. - Samho, Distt. - Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-08-2023 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 Section 30(a)
of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the allegation
is of recovery of 8.265 litres of liquor from a motorcycle.
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 Bittu Kumar Poddar
in police custody, which does not have any evidentiary value.
5. Learned A.P.P. opposes the bail application and



submits that petitioner has not stated in the anticipatory that as to whether he is owner of the motorcycle or not.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-2, Begusarai in connection with Shamho P. S. Case No.08 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, learned trial Court before accepting the bail bonds of the petitioner shall verify the ownership of the seized vehicle and in the event, if it is found that the vehicle belongs to the petitioner, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

vikash/-

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

