

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67796 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- KANHAULI District- Sitamarhi

SONU KUMAR SON OF RAMPUKAR DAS RESIDENT OF VILLAGE -
LAL BANDI, P.S. - SONBERSA, DISTRICT - SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 510 liters of Nepali Deshi wine from a white colour four wheeler and a motorcycle and petitioner was apprehended on the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. He has no concern with the alleged recovery of liquor or with the vehicles in question. No any incriminating article has been recovered from his conscious



possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Similarly situated co-accused namely Sandip Kumar has already been enlarged on bail by another coordinate Bench of this Court vide order dated 23.08.2023 passed in Cr. Misc. No. 52391 of 2023. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 07.05.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-I, Sitamarhi in connection with Kanhauli P.S. Case No. 78 of 2023.

(Sunil Kumar Panwar, J)

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