

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78081 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- SONBERSA District- Sitamarhi

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Rajan Kumar Son Of Rajendra Sah Resident Of Village - Minapur Balha, P.S.
- Piprahi, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
		Ms. Divya Bharti, Advocate
For the Opposite Party/s :		Mr. Kumar Ranjit Ranjan, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonbarsa P.S. case No. 257 of 2023 instituted for the offences
under Sections 30(a) of the Bihar Prohibition & Excise Act.

3. Prosecution allegation, in short, is that total 288
litres of *nepali* liquor was recovered from the car and petitioner
was apprehended on the spot.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 21.08.2023 and has two



criminal antecedents of similar nature but is already on bail in both the cases. The petitioner has falsely been implicated in the present case and has no concern with the alleged recovery. He further submitted that petitioner is neither the owner nor the driver of the said vehicle from which the alleged recovery has been made.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, and the fact that petitioner is neither the owner nor the driver of the vehicle in question, as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonbarsa P.S. case No. 257 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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