

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4443 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- KALYANPUR District- Samastipur

Sonu Kumar S/O Gulchand Sah @ Gulachan Sah R/O Village- Rampura, P.S-
Kalyanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 02-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 318 of 2023 instituted for the offences
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. The prosecution case, in short, is that while the
Informant along with other companions was on patrolling duty, he
saw a car followed by three motorcycles and a scooty. On seeing
the police force, they, after leaving their vehicles, tried to flee
away. On chase, one of them was apprehended by the the police
who disclosed his name as Sonu Kumar (the petitioner). He also
disclosed that he was the driver of the car. On search, the police
recovered 98.25 liters foreign liquor from the car. The police also
recovered 36 liter foreign liquor from the motorcycles and the



scooty.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious and physical possession of the petitioner and just general and omnibus allegation has been made against the petitioner. The petitioner is neither seller nor buyer of the liquor and has no concern with the seized article. He further submits that the petitioner had no knowledge about the recovered foreign liquor which were kept in the dicky of the car. The petitioner is languishing in judicial custody since 31.10.2023. The petitioner has no criminal antecedent.

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

6. Considering the entire facts and circumstances of the case as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Kalyanpur P.S. case No. 318 of 2023.

(Rudra Prakash Mishra, J)

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