

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6768 of 2024**

Arising Out of PS. Case No.-280 Year-2023 Thana- BAUNSI District- Banka

Sudhanshu Singh Son of Manoj Singh Resident of Village-Soha, P.S.-  
Sonbarsa, Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Pandey

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      09-02-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bounsi  
P.S. Case No. 280 of 2023 registered for the offences punishable  
under Sections 30(a), 47 of Bihar Prohibition and Excise Act,  
2018.

3. As per prosecution case, 172.800 litre foreign  
liquor was recovered from the car in question which was being  
driven by co-accused Shubham Kumar and he along with  
petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submits that  
petitioner is quite innocent and has not committed any offence  
as alleged in the FIR. He further submits that petitioner is  
neither owner nor driver of the car in question. Petitioner has



taken lift from the driver of said car and he has been apprehended on the spot on the basis of suspicion. No incriminating article has been recovered from conscious possession of the petitioner. Petitioner has nothing to do with the alleged recovery of liquor. Petitioner is in custody since 25.09.2023 and bears no criminal antecedent. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Moreover, co-accused Shubham Kumar(driver) has already been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 80403 of 2023 and case of present petitioner stands on better footing.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIInd, Banka in connection with Bounsi P.S. Case



No. 280 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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