

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8671 of 2024

Arising Out of PS. Case No.-22 Year-2022 Thana- MASAUDHI District- Patna

Sonu Yadav @ Sonu Kumar Son of Hareshar Yadav @ Hareshwar Yadav
Resident of Sukathiyan, P.S.-Masaurhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Babu, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 396 of 2022 arising out of Masaurhi P.S. Case No. 22
of 2022 instituted for the offences under Sections 30(a), 30(c),
41(i) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered
altogether 500 liter illegal Mahua liquor from the Bolero Pick-
up Van bearing Registration No. BR01GG2225.

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 possession of the petitioner.
The petitioner has three criminal antecedents as has been stated



in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 03.11.2023. He further submits that the co-accused Tetar Yadav @ Manish Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 18.05.2023 passed in Cr. Misc. No. 29299 of 2023.

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

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the fact that similarly situated co-accused has already been granted bail by a Co-ordinate Bench of this Court, 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 Special Case No. 396 of 2022 arising out of Masaurhi P.S. Case No. 22 of 2022.

(Rudra Prakash Mishra, J)

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