

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26404 of 2024

Arising Out of PS. Case No.-233 Year-2019 Thana- SONBERSA District- Sitamarhi

Major Singh @ Majer Singh @ Major Gupta S/O Amir Singh R/O Village-
Bir Raina (Birmajra), Near Shiv Mandir, P.S- Tarawari, Distt.- Karnal
(Haryana).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonbersa P.S. Case No. 233 of 2019 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act and Sections 272, 273 and 414 of the Indian Penal
Code.

3. As per prosecution case, there has been recovery of
total 2619 liters of illegal foreign liquor from a truck.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on spot. Petitioner has no
concern with the alleged recovery of liquor. On the basis of



suspicion and being the owner of the seized truck, he has been falsely implicated in the present case by the police. No incriminating article has been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case. The petitioner is in custody since 02.09.2022 and has two criminal antecedents.

5. Learned APP 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 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. 233 of 2019.

(Rudra Prakash Mishra, J)

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