

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34397 of 2024**

Arising Out of PS. Case No.-18 Year-2024 Thana- Excise P.S. District- Gopalganj

Sonu Kumar Ram Son Of Jawaher Ram Resident Of Village - Sonwalia, P.S. -  
Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Harshvardhan Shivsundaram, Advocate  
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

2      07-05-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Mohammadpur P.S.  
Case No. 18 of 2024, instituted for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 155 liters  
spirit was recovered from back side of the house of the  
petitioner and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of spirit. It is further



submitted that the field/land from where the alleged recovery has been made does not belong to the petitioner. The petitioner is in custody since 02.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 and 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mohammadpur P.S. Case No. 18 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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