

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43158 of 2024

Arising Out of PS. Case No.-908 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Sonu Kumar Son of Arun Kumar @ Arun Kumar Modi R/O Vill.- Tetarhat,
P.S.- Halsi, Dist.-Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shaukat Alam

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under sections 30(a), 32(iii) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 11.7 litres of IMFL from the four accused persons riding on two motorcycles. It is further alleged that one of the motorcycles bearing Reg no. BR53B7730 belongs to the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case only because of the ownership of the alleged vehicle. He has got no criminal antecedent. He has no concern with the



alleged recovery. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Lakhisarai (Kabaiya) P.S. Case no. 908 of 2021, he will be enlarged 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 District and Sessions Judge IV-cum-Special Excise Court 1st Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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