

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54879 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- GOVINDPUR District- Nawada

Sonu Kumar S/o Dinesh Saw Resident of village - Govindpur Uparbazar, P.S.
- Govindpur, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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

ORAL ORDER

- 2 02-08-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Govindpur P.S. Case No. 121 of 2024 instituted for the offences punishable under Sections 30(a), 41 of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 69 litres of liquor was recovered from tempo.
4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to local politics. Learned counsel further submitted that petitioner was not apprehended on the spot. His name was disclosed by the driver of the vehicle from which



alleged recovery has been made. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel further submitted that the co-accused person has already been granted anticipatory bail by this Bench vide order dated 10.07.2024 passed in Cr. Misc. No. 38806 of 2024 and this petitioner is on better footing. The petitioner is in custody since 10.07.2024 and has three criminal antecedents. There is no compliance of Section 100 of the 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, claim based on parity 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Govindpur P.S. Case No. 121 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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