

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63605 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- SARSI District- Purnia

Sonu Kumar Mandal Son of Khantar Prasad Mandal R/o Maheshpur, ward
no.08, Dilarpur, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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

ORAL ORDER

- 2 30-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends arrest in connection with
Sarsi P.S. Case No. 105 of 2024 instituted for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 1193.25
litres of liquor was recovered from Scorpio and Bolero pickup
vehicle.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner is not the driver of the vehicle. It is further submitted that petitioner is only the owner of the pickup vehicle in question and was unaware of the fact that the illicit liquor was being loaded in the vehicle. The petitioner has no criminal antecedent. 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, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from today, be released on anticipatory 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 Sarsi P.S. Case No. 105 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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