

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65113 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- NAUBATPUR District- Patna

Sunil Kumar Singh Son Of Late Brij Kishore Singh Resident Of Village-
Madanji Ka Tola, Po- Sakari, Ps- Arwal, Dist- Arwal.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunit Kumar Srivastava, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 19-04-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioner is named in F.I.R.

and apprehending his arrest in connection with

Naubatpur P.S. Case No. 254 of 2022 registered for the

offence under Sections 420, 467, 468 and 471 of the

Indian Penal Code and Sections 30(a), 32(i)(ii), 36 and

41(i)(ii) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 315 litres of IMFL/country



made liquor from the alleged vehicle.

4. Learned counsel appearing on behalf of the petitioner submitted that due to technical reasons, the owner of alleged vehicle bearing registration no. BR56-0917, petitioner implicated with present case. It is submitted that aforesaid vehicle was sold to one Pradeep Kumar in year 2010 itself, for which, an agreement was drawn in year 2018 only, but on said basis, registration certificate (RC) could not transfer in favour of purchaser i.e. Pradeep Kumar and for said reason, as on date also, the name of petitioner reflects as owner in registration portal, who is otherwise not connected with aforesaid recovery of illicit liquor in any manner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances, as petitioner appears to sold vehicle in issue in terms of Annexure-4 of the bail petition to one



Pradeep Kumar, where implication appears *prima facie* that still his name exist as registered owner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Danapur (Patna)/concerned Court, where the case is pending in connection with Naubatpur P.S. Case No. 254 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., with further condition that:-

(I) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial



Court, only on medical ground of the
petitioner duly supported by the
documents.

(Chandra Shekhar Jha, J)

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