

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71372 of 2024

Arising Out of PS. Case No.-294 Year-2024 Thana- KATEYA District- Gopalganj

Sonu Kumar Son of Umesh Yadav R/o - Sherpur, P.S.- Rahui, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner is directed
to make necessary correction in the provision portion of bail
petition in course of the day.

2. The petitioner seeks bail in Kateya P.S. case No.
294 of 2024 instituted for the offences under Section 317(5) of
BNS, 2023 and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that altogether
217.8 liters liquor was recovered from pick up van.

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. It is further



submitted that the petitioner is neither the driver nor the owner of the pick-up van in question. The petitioner has got no concern with the alleged recovery of liquor. The petitioner was just a passer by. The petitioner is in custody since 30.07.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kateya P.S. case No. 294 of 2024.

(Rudra Prakash Mishra, J)

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