

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75978 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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SONU KUMAR Son of Umesh Shah @ Umesh Singh@Umesh Prasad
Resident of village - Pipra Bangala, P.S. and Dist.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj
For the Opposite Party/s : Mr. Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 07-03-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Excise Case No. 247 of 2022, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).
3. The allegation against the petitioner, as per the First Information Report, is that on 03.03.2022, at about 8:00 pm, the police, on secret information reached Vishwakarma Temple situated in Vrindavan village and apprehended co-accused Ajeet Paswan, from whose possession, 10.5 liters of illicit liquor was recovered. The name of the petitioner surfaced on the basis of



confessional statement of co-accused Ajeet Paswan before the police. It is further alleged that the petitioner fled upon seeing the police party.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to local village politics. He further submits that nothing has been recovered from the conscious possession of the petitioner and the petitioner has been made accused on the basis of confessional statement of co-accused Ajeet Paswan. He further submits that the petitioner is a student and belongs to a reputed family. The allegation against the petitioner, as per the prosecution case, is false and concocted and no legal evidence has been collected against the petitioner connecting him with the present offence.
5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that on the basis of confessional statement of co-accused Ajeet Paswan the petitioner was made accused, nothing has been recovered from the conscious possession of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No. 2, Jehanabad, in connection with Excise Case No. 247 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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