

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77292 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- Excise P.S. District- Saran

Sonu Kumar Son of Kanhaiya Prasad R/O Village- Samsuddinpur, Police
Station- Revelganj, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashad, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

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

ORAL ORDER

2 28-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sadar
Excise P.S. Case No. 159 of 2024 instituted for the offences
punishable under Sections 30(a), 32(3) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 139.26
litres of liquor was recovered from tempo.

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 neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 20.08.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nyaya Sanhita, 2023.

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, clean antecedent 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 Sadar Excise P.S. Case No. 159 of 2024.

(Rudra Prakash Mishra, J)

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