

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78209 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- BAUNSI District- Araria

Sonu Kumar @ Sonu Kumar Singh Son of Sri Bamdeo Singh @ Bamdeo Kumar Chohan Resident of Village - Gunwanti, Ward No.09, Police Station - Baunsi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Baunsi PS Case No. 158 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 80.500 liters liquor was recovered from the field.

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. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovery is made from an open place, which is accessible to



one and all. It is submitted that co-accused, namely, Raju Singh, from whose field recovery was made, has been allowed anticipatory bail by this Court vide order dated 03-10-2024, passed in Cr. Misc. No. 68290 of 2024. The petitioner is in custody since 09-08-2024 and has got four criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

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 Baunsi PS Case No. 158 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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