

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33642 of 2025

Arising Out of PS. Case No.-247 Year-2023 Thana- KUTUMBA District- Aurangabad

Sonu Kumar S/o Late Amrendra Mehta @ Late Amrendra Mahto R/o Village-
Chilhaki more, dadhapa, PS- Kutumba, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

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

ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kutumba P.S. case No.
247 of 2023 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 96.360 liters
liquor was recovered from motorcycle during vehicle checking.

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
further submitted that recovery is made from the motorcycle



which was driven by co-accused Santosh Kumar and no recovery was made from the motorcycle of petitioner which was driven by him. The petitioner is in custody since 23.12.2024 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted bail by this Bench vide order dated 13.02.2024 passed in Cr. Misc. No. 7017 of 2024.

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 Kutumba P.S. case No. 247 of 2023.

(Rudra Prakash Mishra, J)

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