

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42329 of 2025

Arising Out of PS. Case No.-583 Year-2022 Thana- MASHRAK District- Saran

Sonu Kumar Giri @ Sonu Giri son of Late Mukti Nath Giri Vill -Dhup Nagar
Dhobawal Ps- Khaira District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mashrakh P.S. Case No. 583 of 2022 instituted for the offences punishable under Sections 272, 273, 328, 304, 308, 120B of the IPC and Sections 30(a), 33, 34 of the Bihar Prohibition and Excise Act.

3. According to FIR, one person Kunal Kumar, died and others fallen ill due to consumption of spurious liquor. It is further alleged that total 5 litres of liquor was recovered from the house of the co-accused.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation only on the basis of suspicion. No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery has been made from the house of the co-accused. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 05.06.2025 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 12.07.2023 passed in Cr. Misc. No. 3288 of 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 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 Mashrakh P.S. Case No. 583 of 2022, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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