

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74289 of 2018

Arising Out of PS. Case No.-310 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Sonu Kumar Son of Ram Bali Rai Resident of Village-Mahmadpur Sakra,P.S.
VibhutipurDistt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma
For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Excise Case No. 310 of 2018 arising out of letter No. 13
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 108 litres of foreign liquor
from the campus of petitioner kept in sand. Petitioner is having
one antecedent as disclosed in para 3 of this petition for offence
of similar nature. Petitioner is in custody since 23.10.2018.

Considering the nature of allegation against petitioner,
I am not inclined to grant bail to the petitioner. Accordingly the
prayer for bail is rejected at this stage.



However, after six months of custody the petitioner would be enlarged on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge cum Special Judge, Excise, Samastipur, in connection with Excise Case No. 310 of 2018 arising out of letter No. 13 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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