

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67908 of 2018

Arising Out of PS. Case No.-364 Year-2018 Thana- BIHPUR District- Bhagalpur

Pradeep Sonkar Son of Suraj Sonkar Resident of Molhalla-Manai Tanr,Near
Singhara Talab,Hari Mandir,Police Station Dhamsar,Distt.-Dhanbad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Mr. Pravin Kumar Sinha, Advocate
	:	Mr. Suresh Chand Giri, Advocate
	:	Miss Preety Kunwar, Advocate
For the Opposite Party/s :	:	Mr. Tarkeshwar Nath Thakur (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 04-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Bihpur P.S. Case No. 364 of 2018 registered for the offence punishable under Sections 30(a)/38(i) of Bihar Prohibition & Excise Act, 2016.

Allegation against petitioner is of recovery of 828 litres of foreign liquor from the Pick up van of which petitioner was driver.

It has been submitted on behalf of the petitioner that he is only a driver of the said truck and was not aware of liquor being kept in the vehicle. Similarly placed co-accused, namely, Dharmendra Sonkar has been granted bail by a co-ordinate Bench of this Court vide order dated 26.11.2018 passed in Cr.



Misc. No. 67217 of 2018. Petitioner has no criminal antecedent and he is in custody since 11.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise Act), Bhagalpur, in connection with Bihpur P.S. Case No. 364 of 2018 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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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 subsequently found involve in similar nature of offence after released on bail, the prosecution will take steps for cancellation of bail granted in this case.

(S. Kumar, J)

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