

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9487 of 2019

Arising Out of PS. Case No.-158 Year-2018 Thana- KASBA District- Purnia

Sonu Kumar S/o Ganesh Paswan village- Suruchiya, Akkoni (Braitia)
Garhbaneli, P.S-Kasba, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Yadav

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-03-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Section 279, 427, 272, 273 and 34 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 142.980 litre illicit foreign liquor from dickey of a car. Allegation against petitioner is that he is the owner of the said car.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from his possession. He is not the owner of the car. It has been further submitted that similarly placed co-accused has been granted bail by co-ordinate Bench of this Court vide order dated 20.08.2018 passed in Cr. Misc.



No. 51201 of 2018. Petitioner has got no criminal antecedent and is in custody since 03.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Kasba P.S. Case No. 158 of 2018**, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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 offence, after his release on
bail, the trial court shall take steps to cancel his
bail bond.

(S. Kumar, J)

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