

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8942 of 2019

Arising Out of PS. Case No.-260 Year-2018 Thana- THAWE District- Gopalganj

OM PRAKASH SONI Son of Sri Lalan Sah Soni Resident of Village -
Mirganj, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-03-2019 Heard the parties.

The petitioner seeks bail in Thawe P.S.Case
No.260/18 registered under Sections 30(a), 35 and 38 of the
Bihar Prohibition and Excise Act.

The allegation is of recovery of 95.04 litres of foreign
liquor from the car which was being driven by the petitioner.

It has been submitted on behalf of the petitioner that
he is only driver of the car and the owner of the car is another
person, namely, Anirudh Soni but on seeing the police party the
owner of the car fled away.It is further submitted that he was not
aware of illicit liquor kept in the car. He has no criminal
antecedent and he is in custody since 24.12.2018.

Considering the facts and circumstances of the case,
as stated above, let the petitioner, above named, be released on



bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of A.D.J.-II-cum-Special Judge, Excise Act, Gopalganj, in Thawe P.S. Case No.260 of 2018 subject to the conditions that (i) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned. (ii) petitioner/s shall co-operate in the trial and shall be represented on each and every date fixed by the court. (iii) 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/s. (iv) if the petitioners/s is found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bond.

(S. Kumar, J)

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