

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14383 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- AMAS District- Gaya

SONU KUMAR, aged about 19 years, Male, Son of Upendra Singh, Resident
of Village- Dhobdiha, P.S.- Madanpur, District- Aurangabad

... Petitioner

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Adv.

For the Opposite Party : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 12-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
13.01.2019 in connection with Amas P.S. Case No. 11 of 2019
for the offences alleged under Section 420 of the Indian Penal
Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that in vehicle checking duty, on secret information
that Bolero jeep is being plied containing illicit liquor, the said
Bolero jeep was intercepted and the petitioner being the driver
was apprehended. On search from the Bolero vehicle 480 liters
of illicit liquor was recovered. Accordingly, a seizure list was
prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, was not
the driver of the said vehicle, he had taken lift and has been
falsely implicated by the police due to their high handedness.
He submits that he is a matriculate having passed his Board
examination with first division and is a student having bright



career, which will be tarnished because of such false implications and allegations. Petitioner, further, undertakes to cooperate in the investigation, not to induce witnesses or tamper with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the fact that the petitioner is a student of 19 years of age, bearing no criminal antecedent, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Amas P.S. Case No. 11 of 2019 to the satisfaction of the learned Special Judge, Excise, Gaya, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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