

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20923 of 2019**

Arising Out of PS. Case No.-663 Year-2018 Thana- KISHANGANJ District- Kishanganj

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Sanjit Kumar Sonar (Male), aged about 31 years, son of Dharendra Lal Sonar,
Resident of Tegharia Kumhar Basti, P.S.- Kishanganj, District – Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s: Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Special Case No. 309 of 2018,
Kishanganj P.S. Case No. 663 of 2018, registered for the offence
under Sections 30(a) of the Bihar Excise and Prohibition Act,
2016.

About 64.5 liters of illegal liquor has been
recovered from a vehicle bearing registration No. WB76-8551.
The petitioner is alleged to be the owner of the said vehicle.

Learned counsel for the petitioner submits that the
petitioner is the owner of the vehicle, in question, and has



handed over the said vehicle to one Rahul Ray, who was running the vehicle and the petitioner has no control over the movement of his driver, namely, Rahul Ray. He further submits that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum- Special Judge (Excise), Kishanganj, in connection with Special Case No. 309 of 2018, Kishanganj P.S. Case No. 663 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. The Court below will ascertain about the authenticity of Annexure-2 (Authorization Letter) and if it is found to be correct, then the bail bond of the petitioner would be accepted, otherwise, his bail bond would not be accepted.

However, at the time of accepting bail bonds, the court below would verify and assure itself regarding the criminal antecedent of the petitioner. If he is having clean antecedent, then his bail bonds would be accepted. If he is found to be



involved in any other case before filing of this application i.e.
03.04.2019 then his bail bonds would not be accepted.

(Shivaji Pandey, J)

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