

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25654 of 2019

Arising Out of PS. Case No.-122 Year-2017 Thana- SONO District- Jamui

=====

VARUN KUMAR @ BARUN KUMAR Son of Dinesh Singh Resident of
Village - Madhurapur, Purwari Tola, P.S.- Teghra, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Jai Shanker Prasad
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Sono P.S.
Case No. 122 of 2017 for offences punishable under Sections
30(a), 41 and 47 of the Bihar Excise (Prohibition) Amendment
Act, 2016.

The prosecution case as lodged by the police
personnel is that during vehicle checking Scorpio and Hyundai
Ascent vehicle were intercepted and from the Hyundai Ascent
vehicle illicit liquor was recovered. From the Scorpio vehicle
the driver Suraj Kumar was found driving the said Scorpio
vehicle and on search 384 bottles of illicit liquor of 750ml,



375ml and 180ml were recovered. The petitioner is languishing in judicial custody since 08.04.2019.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was not present in the vehicle. It has been stated in para-12 of the present application that the said driver who was apprehended with the Scorpio vehicle has been granted the privilege of bail in Cr. Misc. No. 41953 of 2017 dated 20.09.2017 by a coordinate Bench of this Court and just because the petitioner is the owner of the said vehicle, he has been made accused in the present case.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additionl Sessions Judge-III-cum-Special Judge, Excise, Jamui in connection with Sono P.S. Case No. 122 of 2017, subject to the condition that one of the bailors would be close relative of the petitioner having sufficient



immovable properties, who will file an affidavit stating his
relationship with the petitioner.

(Nilu Agrawal, J)

devendra/-

U		T	
---	--	---	--

