

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78541 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- KHAJAULI District- Madhubani

Sonu Kumar @ Sonu Mehatar @ Son Ram Son of Dinesh Mehatar @ Dinesh
Ram Resident of village- Maniyarba, P.S. Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr.Sri Uday Chand Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Khajauli P.S. Case No. 48 of 2018 (G.R. No. 419 of 2018) registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 38.700 ml. Nepali Saufi from the bamboo clamp of the co-accused Shrawan Yadav. Allegation against petitioner is that on seeing the police he fled away and his name was disclosed by dafadar and other villagers.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case on the basis of suspicion only.



Petitioner was not arrested on the spot. Petitioner is in custody since 20.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise Act, Madhubani, in connection with Khajauli P.S. Case No. 48 of 2018 (G.R. No. 419 of 2018), subject to 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 represented on each and every date fixed by the court.
- (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 offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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