

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82303 of 2019

Arising Out of PS. Case No.-291 Year-2019 Thana- CHAPRA TOWN District- Saran

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Sanny Kumar, aged about 24 years, Gender-Male, Son of Lal Babu Sah @ Lal Babu Gupta, Resident of Mohalla- Joginiya Kothi, P.S.- Chapra Town, District- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nawal Kishore Singh, Advocate
For the State : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 12-12-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Chapra Town PS Case No. 291 of 2019 dated 29.05.2019 instituted under Sections 30(A)/41(I) (II) of Bihar Prohibition Excise Act, 2018.

3. The allegation against the petitioner and 5-6 others is of indulging in smuggling of illicit liquor.

4. Learned counsel for the petitioner submitted that from the rented house of his elder brother, Bambam Sah, 42.390 litres of illicit foreign liquor has been recovered. It was submitted that just because the petitioner is related to the main accused, he has been



also implicated without there being any basis for the same. It was submitted that the petitioner has no criminal antecedent and is in custody since 23.10.2019.

5. Learned APP did not controvert that illicit 42.390 litres of foreign liquor was recovered from the rented house of brother of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned IInd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in Chapra Town PS Case No. 291 of 2019, subject to condition that one of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on



two consecutive dates, without sufficient cause, shall also lead to
cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Vikash/Ranjit

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