

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9172 of 2020

Arising Out of PS. Case No.-421 Year-2019 Thana- CHAKIA District- East Champaran

SONU KUMAR, Son of Laldeo Das, resident of Village - Madhopur Govind,
P.S.- Chakia, Dist.- East Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

287 liters of foreign liquor is said to have been recovered from the house of one co-accused Amrendra Kumar.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. Petitioner was not apprehended at the spot. He has been falsely implicated in the case on the confessional statement of one co-accused Amrendra Kumar which has no evidentiary value in the eye of law. No offence under Excise Act has been made out against the



petitioner. He has no criminal antecedent.

Petitioner is agreed to deposit Rs.25,000.00 (Rupees Twenty Five Thousand) in the Juvenile Justice Fund of the State Social Welfare Department, bearing Saving Account No.35094613009 of the State Bank of India.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on 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 bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 9th Additional Sessions Judge-cum-Special Judge, Excise Act, East Champaran at Motihari in connection with Chakia P.S. Case No. 421 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.25,000.00 (Rupees Twenty Five Thousand) in the Juvenile Justice Fund of the State Social Welfare Department.

(Anjani Kumar Sharan, J)

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