

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.26260 of 2020**

Arising Out of PS. Case No.-426 Year-2020 Thana- FORBESGANJ District- Araria

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SUNIL KUMAR @ SUNIL KUMAR SAH @ SONU SAH Son of Lalo Sah
Resident of Village- Thumha, P.S.- Pipra, District- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 10-12-2020 Learned counsel for the petitioner has not joined the proceeding.

The petitioner in the present case is seeking regular bail in connection with Forbisganj (Simraha) P.S. Case No. 426 of 2020 registered for the offences punishable under Sections 30(a) and 38(1) of Bihar Prohibition and Excise Act, 2016.

Mr. Akhileshwar Dayal, learned APP for the State has gone through the case diary and has assisted this Court. Learned APP has informed that there is a confessional statement of the petitioner, however, the petitioner has no criminal antecedent and he is in custody in connection with this case since 04.06.2020. Investigation against him is complete.

Having regard to the facts and circumstances of the case, wherein this petitioner has got no criminal antecedent, in



connection with the present case he has remained in jail for over 6 months and the investigation against him is complete as also that there is no submission on behalf of the State that the release of the petitioner is likely to result in tampering with evidence or interfering with the course of trial, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-2nd cum Special Judge, Araria in connection with Forbisganj (Simraha) P.S. Case No. 426 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.



And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

