

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22081 of 2020

Arising Out of PS. Case No.-104 Year-2020 Thana- PUNPUN District- Patna

Sonu Kumar, aged about 20 years (Male), Son of Syamdeo Singh, Resident of Sonversa, P.S.- Gorari, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Kumar
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-08-2020 Heard learned counsel for the petitioners as well as learned A.P.P. for the State through video conferencing.

This relates to grant of bail in Special Case No. 3079 of 2020, arising out of Punpun P.S. Case No. 104 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per F.I.R., recovery of 90 litres of country-made liquor has been shown from a tempo, of which, the petitioner is alleged to be driver.

It is submitted on behalf of petitioner that petitioner is innocent and has committed no offence. It is further submitted that petitioner has got no concern with the aforesaid recovery. He is simply a driver and as per direction & instruction of the owner of tempo, he was driving the tempo and he was unaware



of the consignment, which was loaded in the tempo. As per statement made in paragraph – 3 of the petition, the petitioner has no criminal antecedent and he is in custody since 05-04-2020

Considering the aforesaid facts and circumstances, the bail application of the petitioner is allowed.

Let the above-named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna in connection with Special Case No. 3079 of 2020, arising out of Punpun P.S. Case No. 104 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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