

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26629 of 2020

Arising Out of PS. Case No.-270 Year-2020 Thana- ALAMGANJ District- Patna

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SANNI KUMAR S/o Purnenedu Pathak R/o Gayghat Uttari Gali, Mandiri,
Police Station- Alamganj, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Alamganj P.S. Case No.
270 of 2020 Spl. Case No. 3373 of 2020, registered for the
offence punishable punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016 and sections 25(1-b)a, 26 and
35 of the Arms Act.

As per the prosecution case, on secret information
raid was conducted and two persons including this petitioner
were apprehended on the spot whereas, one person fled away.
From possession of this petitioner one screen touch mobile was



recovered and from possession of other co-accused namely Md. Arman one country made pistol and one live cartridges were recovered. On disclosure of both the accused persons, 120 litres of Mahua liquor and 14.76 litres of foreign liquor was recovered from the bush nearby the Nala.

It is submitted that petitioner has falsely been implicated in this case. No arms and ammunitions has been recovered from possession of this petitioner. Recovery of arms and ammunitions has been made from possession of the co-accused Md. Arman and alleged illicit liquor has been recovered from the bush nearby Nala. Petitioner has got clean antecedent as stated in para 3 of the petition and he is in custody since 05.05.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Alamganj P.S. Case No. 270 of 2020 Spl. Case No. 3373 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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