

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77405 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- MALI District- Aurangabad

-
1. SONU SINGH @ SONU KUMAR SINGH Son of Binod Singh @ Binod Kumar Singh Resident of Village-Sonbarsa Khaira, P.S.-Mali, District-Aurangabad.
 2. Monu Singh Son of Binod Singh @ Binod Kumar Singh Resident of Village-Sonbarsa Khaira, P.S.-Mali, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-01-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of **Mali P.S. Case No. 12 of 2019**, disclosing the offences under Sections 30(a) and 38 of Bihar Prohibition and Excise Act, 2016.

The petitioner No. 1 has criminal history as has been indicated in paragraph-3 of the application as under:-

- (i) Mali P.S. Case No. 43/2018 under Sections 147, 148, 144, 188, 307, 353, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act in which he is on bail.
- (ii) Barun P.S. Case No. 214/2014 under



Sections 25(1-b)a, 26 and 35 of the Arms Act, he is on bail.

(iii) Harihar P.S. Case No. 63/2015 under Sections 392/412 of the Indian Penal Code in which he is on bail.

It is the case of the prosecution that on a secret information a raid was conducted leading to recovery of 244 litres of country made liquor from the *Khalihan* of the petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that the place from where the recovery has been made, does not belong to them. The petitioners have remained in custody since 14.10.2019.

It appears that the petitioners had earlier approached this Court by filing anticipatory bail application which was allowed on 18.04.2019. However, since they could not appear before the court below within the time stipulated in the order of this Court dated 18.04.2019, they surrendered before the court below on 14.10.2019.

Considering the circumstances that the petitioners were allowed anticipatory bail after considering the accusation against them, this application is allowed. Let the petitioners, above-named, be released on bail on furnishing bail bonds of



Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned Additional Sessions Judge-VII cum Spl. Judge, Excise, Aurangabad**, in connection with **Mali P.S. Case No. 12 of 2019**, subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

S.Ali/-

U		T	
---	--	---	--

