

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18182 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- CHANDRAMANDI District- Jamui

Sonu Kumar, Son of Umesh Thakur, Resident of Mohalla - Doctor Toli, ward
No.7, Mokama, P.S.- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-10-2021 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Chandramandi P.S. Case No.02 of 2021/G.R. No.35 of 2021 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

There is an alleged recovery of 337 litres and 200 ml. country made liquor from a tempo. Petitioner is alleged to be arrested from the tempo.

Counsel for the petitioner submits that the petitioner had taken a lift in the tempo and has become a victim of circumstances as he was not having any knowledge regarding the illicit liquor being transported in the tempo. He has no



criminal antecedents and is in custody since 04.01.2021.
Recovery is not in accordance with Section 100 Cr.P.C.

Learned APP for the State has opposed the prayer
for bail.

Considering the rival submissions as also the facts
and circumstances of the case, this Court for the purposes of
grant of bail is inclined to accept the submissions advanced by
the petitioner's counsel. Prayer for bail of the petitioner is
allowed.

Let the petitioner, above named, 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
Additional District & Sessions Judge-II, Jamui/Incharge
Successor Court, in connection with Chandramandi P.S. Case
No.02 of 2021/G.R. No.35 of 2021, subject to the following
conditions:

(i) That one of the bailors
will be a close relative of the
petitioner who will give an affidavit
giving genealogy as to how he is
related with the petitioner. The bailor
will also undertake to inform the
court if there is any change in the
address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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