

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19932 of 2021

Arising Out of PS. Case No.-141 Year-2020 Thana- MARANCHI District- Patna

Sonu Nishad Son of Shri Raj Kumar @ Raj Kumar Mahto @ Pataniya
Resident of Village - Kasaha Diyara, P.S.- Maranchi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Smt. Sudha Ambastha

For the Opposite Party/s : Mr. Arun Kr. Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Maranchi P.S. Case No. 141 of 2020 corresponding to Special Case No. 6386 of 2020 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 100 liters of *desi mahua* liquor is said to have been recovered from behind the house of the petitioner.



He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He submits that the house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said illegal *mahua* liquor in the house. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 13.12.2020.

Petitioner is agreed to deposit a sum of Rs. 5,000 (Rupees Five Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Maranchi P.S. Case No. 141 of 2020 corresponding to Special Case No. 6386 of 2020 subject to following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform



the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000 (Rupees Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

GAURAV S./-

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