

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33070 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- UCHKAGAON District- Gopalganj

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SONU KUMAR @ SHANI, aged about 18 Yrs. (M), SON OF BHARAT PRASAD R/O VILLAGE- GURUMAHA, P.S.- UCHKAGAON, DISTRICT- GOPALGANJ.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjya Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 21-10-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Amendment Excise Act, 2018.

Informant is a police officer, who has alleged that on 05.10.2020 at about 10:15 a.m., while he was on patrolling duty, he received a confidential information that petitioner has kept illicit liquor in his house for the purpose of sell and accordingly, he along with police personnel reached there and after seeing the police party, one person (petitioner) managed to flee away from his house and on search, 64.400 litre country made liquor, kept in a sack, was recovered behind the house of the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case due to village rivalry. It is further submitted that neither petitioner was arrested from his house nor anything was recovered from his house. Petitioner has no criminal antecedent and he is in custody since 30.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Uchkagaon P.S. Case No.326/20 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take

steps to cancel his bail bond.

(S. Kumar, J)

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