

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29344 of 2021

Arising Out of PS. Case No.-391 Year-2020 Thana- PUPRI District- Sitamarhi

SONU KUMAR SAH @ SONU KUMAR S/O Suresh Sah Resident of Ward
No. 4, Mohalla Jaitpur Nagar Panchayat Janakpur Road Pupri, P.S. - Pupri,
District - Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv

For the Opposite Party/s : Mrs.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-06-2021 Heard learned counsel for the parties.

Petitioner apprehend his arrest in a case registered for
the offence punishable under Sections 272, 273, 34 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act.

Allegation is of recovery of 140.730ml of illicit foreign
liquor from the house of co-accused Dharmendra Kumar.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case on mere
suspicion only. It is further submitted that petitioner was neither
apprehended at the spot nor anything has been recovered from
the possession of the petitioner, as such provisions of Excise Act
will not be applicable. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today 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 **Pupri PS Case No. 391 of 2020**, subject to the conditions laid down under Section 438(2) of the Cr.P.C 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 and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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