

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39169 of 2020**

Arising Out of PS. Case No.-197 Year-2020 Thana- JOGBANI District- Araria

SONU KUMAR THAKUR Son of Promod Thakur @ Promod Kumar Thakur
Resident of Village- Swastik Nagar, Ward No. 07, P.S.- Jogbani, District-
Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-02-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the stamp reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Ms. Dr. Indihar Kumari, learned A.P.P. for the State.

The petitioner in the present case is seeking regular bail in connection with Jogbani P.S. Case No. 197 of 2020 corresponding to Special Case No. 625 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that as per the prosecution story the petitioner and co-accused Raj Kumar Sah were apprehended by the S.S.B. personnel with 65 pieces of Dialex-DC cough syrup.



Learned counsel submits that the petitioner has been falsely implicated in this case. He is in judicial custody since 16.08.2020 and prior to the present case he had no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has remained in jail since 16.08.2020 and prior to the present case he had no criminal antecedent, investigation against him is complete and there is no submission on behalf of the State that his release at this stage is likely to result in tampering with evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Jogbani P.S. Case No. 197 of 2020 corresponding to Special Case No. 625 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the



commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

