

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4837 of 2021

Arising Out of PS. Case No.-19 Year-2020 Thana- DEWARIA District- Muzaffarpur

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SUNNY KUMAR Son of DINESH CHAUDHARY Resident of Village-
Deoria Hospital Chowk, P.S.-Deoria, District-Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-06-2021 Heard Ms. Bela Singh, learned counsel for the

petitioner and Mr. Akhileshwar Dayal, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Deoriya P.S. Case No. 19 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner is that the Police
got a secret information that the petitioner along with his mother
Sunita Devi has stored liquor in the house for the purpose of
selling it, proceeded towards the place of occurrence and
recovered a total quantity of 123.12 litres of illicit foreign liquor
from the house of Sunita Devi.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case and he was not present in the house at the time of occurrence. However, the mother of the petitioner was arrested from the house and she disclosed that the person who fled away from the house on the arrival of the Police, was the petitioner. Learned counsel further submits that the house in question is owned by his mother and other family members also reside therein. Learned counsel also submits that the mother of the petitioner has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 19289 of 2020. Learned counsel next submits that the charge sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that co-accused has been granted bail by a co-ordinate Bench of this Court and charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Deoriya P.S. Case No. 19 of



2020 subject to the following conditions:-

(i) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(ii) That the petitioner shall not indulge himself in any similar offense in future.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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