

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7937 of 2021**

Arising Out of PS. Case No.-677 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

SONU KUMAR @ SONU RAI S/o Ramjee Rai @ Ramji Ray R/o Village-
Barmatpur, P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Adv
For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

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09-08-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Muzaffarpur Sadar P.S.
Case No. 677 of 2019 registered under Sections 272 and



273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

There is alleged recovery of 26.290 litres of illicit liquor from the petitioner's house.

Learned counsel for the petitioner submits that it is a case of false implication. The recovery is not in accordance with law and not same from the conscious possession of the petitioner. It is from an open place and the petitioner is in custody since 1.10.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in Muzaffarpur Sadar P.S. Case No. 677 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is



any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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