

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12118 of 2022

Arising Out of PS. Case No.-190 Year-2021 Thana- KARPI District- Jehanabad

SANNI KUMAR S/o Late Bind Yadav @ Binod Singh R/o village-
Chamandi, P.S.- Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Excise Case No. 913 of 2021, arising out of Karpi P.S. Case No.
190 of 2021 for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

As per the allegation made in the F.I.R., altogether 25
litres of country made liquor was recovered from a motorcycle
bearing registration no. BR-1AE5017.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that no incriminate



article has been recovered from conscious possession of the petitioner. The alleged motorcycle was being driven by some other persons and the same also does not belong to the petitioner. Petitioner is in custody since 19.11.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Taking into consideration the nature of allegation made in the F.I.R., the alleged recovery of 25 litres of country made liquor was made near Sahar Telpa road from a gunny bag kept on the motorcycle bearing Registration No. BR-1AE5017, petitioner has admitted that the said motorcycle does not belong to him nor he has any concern with the the recovered illicit liquor and the petitioner is in custody since 19.11.2021, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Court No.-II, Jehanabad in connection with Karpi P.S. Case No. 190 of 2021, subject to the 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 offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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