

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12368 of 2022

Arising Out of PS. Case No.-74 Year-2019 Thana- KALER District- Jehanabad

SONU SAW, S/o Late Ram Balak Sao R/o village- Amran Chauk, Amarpura,
P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Excise
Case No. 1187 of 2019, arising out Kaler P.S. Case No. 74
of 2019, registered for the offences punishable under
Sections 30(a) of the Bihar Excise and Prohibition Act, 2016.

As per allegation, 990 kg illegal mahua flower was
recovered from one pick-up Van, bearing Registration No.
BR-01GB 7799.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that the petitioner is the



owner of the said vehicle. He had given the vehicle to the driver for plying the same on commercial basis, but he was not aware of the fact that the driver of the vehicle was carrying mahua flower. Nothing has been recovered from the conscious possession of the petitioner and he has clean antecedents.

The petitioner is in custody since 06-12-2021.

It is also stated in paragraph no. 2 of the petition that petitioner has not moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail in this matter.

It has further been stated that the petitioner has been made accused in Amba P.S. Case No. 170 of 2021 but he is on bail in this case.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No. II,



Jehanabad in connection with Kaler P.S. Case No. 74 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

skm/-

U		T	
---	--	---	--

