

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14893 of 2022

Arising Out of PS. Case No.-904 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Sonu Kumar Rai @ Prashant Kumar Son of Ramesh Rai Resident of Village -
Dharhara, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 31-08-2022 Heard Mr. Rajesh Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Sunil Kumar
Pandey, learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 904 of 2021, for the offence
punishable under Section 414 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether
167.400 litres of Indian Made Foreign Liquor recovered from
the Bolero pick up bearing registration No. BR-31GB-8127,
which is registered in the name of the father of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner has clean antecedent and he has



no concern with the affairs of his father. Petitioner has falsely been implicated in this case. The petitioner has made specific statement in paragraph No. 7 that nothing has been recovered from his conscious possession. The petitioner is in custody since 24.01.2022.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. Two Lakh with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1-cum-Addl. District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 904 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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