

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16374 of 2022

Arising Out of PS. Case No.-178 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Sonu Kumar Son Of Awdhes Ray Resident Of Village- Mohanpur, P.S.-
Raghopur, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-07-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State by virtual mode.

The petitioner seeks bail in connection with Special
Case No. 513 of 2022 arising out of P.R. Ramkrishna Nagar P.S.
Case No. 178 of 2022 registered for the offences punishable
under Section 30(a), 32(1), 32(3)/41(1) and 41(2) of the Bihar
Prohibition and Excise Act,2018.

As per prosecution report, there is alleged recovery of
250 litre country made wine from motorcycle in question and
petitioner along with co-accused Gorakh Kumar has been
apprehended on spot.



Learned counsel for the petitioner submits that petitioner is in custody since 25.01.2022 and bears no criminal antecedent. Prosecution Report has been submitted in the case and there is no likelihood of tampering with the evidence. Learned counsel for the petitioner further submits that neither such occurrence has taken place nor petitioner is concerned with recovered liquor and motorcycle in question. The name of the petitioner has been falsely implicated in this case.

The learned A.P.P. for the State vehemently opposes the prayer for the bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view the clean antecedent, prosecution report has been submitted in the case and there is no likelihood of tampering the evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna in connection with Special Case No. 513 of 2022 arising out of P.R. Ramkrishna Nagar P.S. Case No. 178 of 2022, subject to following conditions:-

(I) One of the bailors shall be either father or mother



or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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