

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20306 of 2022

Arising Out of PS. Case No.-55 Year-2021 Thana- GAUTAMBUDHNAGAR District- Siwan

Sonu Kumar Ram @ Sonu Ram @ Sonu Kumar, Son Of Jawahar Ram, R/O
Village- Chandpur, P.S.- Gautam Budha Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with G.B. Nagar P.S. Case No. 55 of 2021, registered for the alleged offences under Sections 30 (a), 34, 36, 38 and 41 (i) of the Bihar Prohibition and Excise Act, 2016.

Allegedly, 135 liters of country made liquor was recovered from an orchard and the petitioner and other accused persons are stated to have selling the liquor from the said orchard after manufacturing the same and they escaped from the spot when the raid was being conducted.



Learned counsel appearing on behalf of the petitioner submits that the recovery has been made from an open place and the petitioner was not arrested from the spot. Nothing incriminating has been recovered from the conscious possession of the petitioner. One of the co-accused persons namely Balindra Yadav has been granted anticipatory bail vide order dated 20.12.2021 passed in Cr. Misc. No. 44006 of 2021 by a Coordinate Bench of this Court and other co-accused persons namely Ghanshyam Ram @ Chaila and Monu Kumar have been granted bail vide orders dated 02.03.2022 and 04.03.2022 passed in Cr. Misc. Nos. 43450 of 2021 and 49542 of 2021, respectively. The charge sheet has been submitted in this case and the petitioner is in custody since 04.03.2022 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the charge sheet has been submitted in this case and the petitioner is in custody since 04.03.2022 and is having clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Excise Court No.01, Siwan, in connection with G.B. Nagar P.S.
Case No. 55 of 2021 subject to the conditions mentioned in
Section 437 (3) of the Code of Criminal Procedure and the other
following conditions :

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each
and every date fixed by the court below.
- (iii) In case of absence on three consecutive
dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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