

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21196 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- RAJAON District- Banka

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Raju Sonkar @ Raju Sonkhar S/o Ramchandra Sonkar Resident of Village-
Chakarwa, P.S.- Bhoure, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gaurav Prakash, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-07-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Gaurav Prakesh, learned counsel for the
petitioner as well as learned Additional Public Prosecutor
for the State.

Petitioner seeks bail in a case registered in
connection with Rajoun (Nabada O.P) P.S.Case No. 13 of
2022 for the offences punishable under Sections 30(a)
32(2) of the Bihar Prohibition & Excise Act 2018.

As per the prosecution case, it is alleged that
while the police was on patrolling duty, intercepted one
piazzo tempo and on search being made altogether 317.520
liters of Indian made foreign liquor was recovered. It is



further alleged that out of two persons sitting in the tempo, one was apprehended by the police and another succeeded to flee away.

It is submitted by the learned counsel for the petitioner that petitioner happens to be driver of the auto and he was not even aware of what was loaded and kept by the passenger or the consignor. It is next submitted that the persons, who was carrying the consignment had fled away from the place of occurrence and this petitioner being driver, was arrested. It is also submitted that this petitioner is a man of fair antecedent and he is in custody since 12.01.2022, though investigation has already been concluded and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is driver and moreover, he is in custody since 12.01.2022 and the investigation of the crime is already completed and the charge sheet has been submitted and as such keeping the petitioner behind the bar would serve no purpose, let the



petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II Banka in connection with Rajoun (Nabada O.P) P.S.Case No. 13 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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