

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22422 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- JOKIHAT District- Araria

Sonu Jha S/o Manoj Jha @ Manoj Kumar Jha R/o Village- Maikhand, Ward no.02, P.S.- Raghuwansh Nager, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-07-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State through video conference.

The petitioner seeks regular bail, who is in custody in connection with Jokihat P.S. Case No. 92 of 2022 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, it is alleged that on a secret information the police intercepted a PIAGGIO Tempo and on search being made total 111 litres of foreign liquor was recovered. It is further alleged that this petitioner was arrested from the Tempo.



It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner has no concern either with the recovered liquor or with the seized vehicle. It is further submitted that the petitioner was the driver of the said vehicle and the he was not even aware as to what was loaded in the seized tempo by the passenger of the said Tempo. It is also submitted that the petitioner is in custody since 24.02.2022 having clean antecedent and, moreover, the investigation of the crime is already completed and the charge-sheet has been submitted in this case.

On the other hand, learned APP for the State opposes the bail application of the petitioner.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that the petitioner being driver of the vehicle was not even aware as to what was loaded by the consignor or the owner of the Tempo, apart from the fact that there are other serious irregularities in the preparation of seizure list and petitioner is in custody since 24.02.2022, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Purnea in



connection with Jokihat P.S. Case No. 92 of 2022, subject to the condition that one of the bailors will be the close relative 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)

mdrashid/-

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

