

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34312 of 2022**

Arising Out of PS. Case No.-98 Year-2022 Thana- ADAPUR District- East Champaran

Sonalal Sah Son Of Late Baijnath Sah R/O Village- Bhawanipur Mauja, P.S.-  
Nakardei Adapur, District- East Champaran, Motihari

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      12-09-2022                      The learned counsel for the petitioner is directed to re-  
  
move all the defects pointed out by the Stamp Reporter within  
  
one month.

Heard Mr. Rajesh Kumar, learned counsel for the peti-  
tioner and Mr. Rajendra Prasad Nat, learned APP for the State.

Petitioner seeks regular bail in connection with Ada-  
pur P.S. case no. 98 of 2022 registered for the offences punish-  
able under Sections 413 and 414 of the Indian Penal Code.

As per the prosecution, the police got information that  
the petitioner indulged in illegal activity of wine business and  
thereafter the police raided his house and recovered a bolero  
jeep vehicle parked at the door of the informant's house but  
could not find any liquor and at that time the petitioner was not  
arrested at the spot and the police suspected the said vehicle to  
be stolen one as some manipulation had been made with regard  
to engine and chasis no. on the said vehicle by scratching the



same.

The main submissions advanced by Mr. Rajesh Kumar, learned counsel for the petitioner are that against the petitioner there is criminal antecedent of three cases in which he is on bail, admittedly he has not been arrested at the spot and recovery of any wine was not made from the petitioner's house and only a vehicle which is alleged to be stolen, is said to have been recovered from the house of this petitioner but the said allegation is completely false and in fact the petitioner is a registered owner of the said vehicle and he has been languishing in jail since 24.3.2022.

Mr. Rajendra Prasad Nat, learned APP has opposed the prayer for bail.

In view of the above submissions and considering the petitioner's custody period and taking into account the fact that the alleged offences are triable by the magisterial Court, in my view a lenient approach can be taken in respect of petitioner's prayer let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Adapur (Nakardei O.P.) P.S. case No. 98 of 2022 on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) 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.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

**(Shailendra Singh, J)**

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