

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41544 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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SONU LAL HARIJAN S/O SUREN LAL HARIJAN @ SURENDR LAL
Resident of Ward No.- 08, Alamnagar, Belwa Kasipur, Kishanganj, PS and
District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Sinha

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 122/2022, arising out of PR No. 56/2021-22
lodged under Section 30(a) of the Bihar Excise Act, 2016.

As per prosecution case, total recovery of 96 litres of
foreign liquor was alleged to be recovered from the four
wheeler. The petitioner was apprehended from the place of
occurrence.

Learned counsel for the petitioner submits that though
he was arrested from the said vehicle but he is neither driver nor



owner of the vehicle. He has taken lift and was completely unaware that excise material was going on this vehicle. He has further submitted that his antecedent is clean and is in custody since 13.02.2022, charge-sheet has already been filed in this case. Learned counsel further submits that vide order dated 22.02.2022, the co-ordinate Bench of this Court has granted bail to co-accused Karan Harijan @ Karan Harizan @ Karan Das in Cr. Miscellaneous No. 25756 of 2022.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (rupees thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge IV cum Special Judge, (Excise), Kishanganj, in connection with Special Case No. 122/2022, arising out of PR No. 56/2021-22, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(A.) The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his



bail bond.

(B.) One of the bailor shall be close relative who shall file affidavit before the Court about his relation with the petitioner.

(C.) The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

Ranjeet/-

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