

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40695 of 2022

Arising Out of PS. Case No.-269 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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SANOJ KUMAR SON OF JAI RAM SINGH RESIDENT OF VILLAGE-
KUNJ, P.S.- ROH, DISTRICT- NAWADA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with G.O.
No. 269 of 2022 registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery
of 101.875 litres foreign liquor near the house of the petitioner.
The petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 17.03.2022 and bears criminal
antecedent of one case of similar nature in which he is on bail.
Prosecution report has been submitted in this case and there is



no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner and he has falsely been implicated in this case. The petitioner has neither concerned with the alleged place nor concerned with the seize liquor. Seizure list has not been prepared as per law.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, prosecution report has been submitted in the case as submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-2 Nawada in connection with G.O. No. 269 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

Amitkumar/-
Vasudha/-

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