

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40869 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- BIBHUTIPUR District- Samastipur

SONU KUMAR Son of Shivnath Prasad Singh Resident of Village -
Chakhabib, P.S.- Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

1029.600 litres of foreign liquor has been recovered
from a bamboo clump. The petitioner and other co-accused
persons are said to have fled away from the place of occurrence
after seeing the police.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. There is no recovery from the conscious possession of
the petitioner.



Petitioner is agree to deposit a sum of Rs. 30,000/- (rupees thirty thousand) in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-I, District Samastipur in connection with Bibhutipur P.S. Case No.455 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

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