

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50768 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- SAKRA District- Muzaffarpur

SONU CHAURASIYA Son of Shiv Kumar Bhagat Resident of Village-
Sarmastpur, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr.Adv.
	:	Mr.Hari Kishore Thakur, Adv
For the Opposite Party/s	:	Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Sakra P.S.Case No.120 of 2020 registered for the offence under Sections 272,273,419,420,467,468,471 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Recovery is of 10721.850 liters of foreign liquor.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present



case. In fact the petitioner was not arrested on the spot and the name of the petitioner has transpired only on the basis of the local villager. He further submits that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the Truck and Pick-Up Van in question. He further submits that co-accused, namely, Neeraj Kumar has been granted bail vide order dated 24.11.2020 in Cr. Misc. No.30876 of 2020 and another co-accused, namely, Aftab Alam has been granted bail vide order dated 05.07.2021 in Cr. Misc. No.23150 of 2021 by different Coordinate Benches of this Hon'ble Court and co-accused, namely, Keshar Singh has been granted bail by this Hon'ble Court vide order dated 25.01.2022 in Cr. Misc. No.55862 of 2021 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.06.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries 11 more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, 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 learned Special Judge, Excise Act,



Muzaffarpur in connection with Sakra P.S.Case No.120 of 2020
with 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 and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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