

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46016 of 2022

Arising Out of PS. Case No.-163 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

Sanoj Kumar @ Saroj Kumar, Son Of Nageshwar Sah @ Yogendra Sah, R/O
Village- Thumma, P.S.- Runnisaidpur, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Runnisaidpur P.S. Case No. 163 of 2022
registered for the alleged offences under Sections 30(a), 36 and
41(i) of the Bihar Prohibition and Excise Act.

As per prosecution case, recovery of 1107.970 litres
of India made foreign liquor was made from the house of the
co-accused Avinash Kumar. The petitioner was named by local
chowkidar who fled away from the spot and was involved in the
illicit trade of liquor.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 16.06.2022 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and further considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Special Judge Excise Act, Court-1, Sitamarhi in connection with Runnisaidpur P.S. Case No. 163 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

