

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47100 of 2022

Arising Out of PS. Case No.-134 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Sonu Kumar Son Of Vinod Rai R/v- Basti Sarsikan, P.S- Goraul, Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APp

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-10-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Anuj Kumar, learned counsel for the
petitioner as well as learned Additional Public Prosecutor
for the State through video conferencing.

Petitioner seeks bail in a case registered in
connection with Excise P.S. Case No. 134 of 2022 for the
offences punishable under Sections 30(a), 32(i), 32(3), 41(i)
and 41(2) of the Bihar Prohibition & Excise Amendment
Act.

The police on a secret information, intercepted Bolero
car bearing registration no. BR06PA-4077 and on search
total 420 liters illicit country made liquor was recovered. It



is alleged that the petitioner is said to be driver of the vehicle was apprehended at the spot.

Learned counsel appearing on behalf of the petitioner submits that the petitioner happens to be driver of the vehicle in question have no knowledge about the goods being carried by the owner of the vehicle as the vehicle in question runs for transportation of goods and carriage of passengers on the dictate of the owner. He further submits that the petitioner has no concern with the vehicle in question nor with the illicit wine and he having fair antecedent is in custody since 21.07.2022 and the investigation of the crime is already complete and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submission made on behalf of the parties and considering the fact that the petitioner happens to be driver of the vehicle which runs for transportation of goods and carriage of passengers at the dictate of the owner of the vehicle, apart from the petitioner having fair antecedent and after completion of



investigation charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Exclusive Special Judge, Excise-II, Hajipur at Vaishali in connection with Excise Thana P.S. Case No. 134 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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