

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47783 of 2022

Arising Out of PS. Case No.-198 Year-2022 Thana- JALALPUR District- Saran

Sonu Kumar Singh S/o Nagendra Singh, R/o village- Kumna, P.S.- Kopa,
Distt.- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitu Kumari, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Jalalpur P.S. Case No. 198 of 2022, lodged under Section 30(a)
of the Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery of 150
liters of country made liquor is the subject matter relating to the
present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the said recovery was not made from the conscious
possession of petitioner, rather it was made near a Banyan tree

which is an abandoned place. He also submits that petitioner is in custody since 05.07.2022 and there is one criminal case pending against him, in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, Saran at Chapra in connection with Jalalpur P.S. Case No. 198 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of

furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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