

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48022 of 2022

Arising Out of PS. Case No.-422 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Pradeep Sonkar S/O Dasrath Sonkar, Resident Of Village- Kadirganj, P.S.-
Darigaon, District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 11-11-2022 Let the defect, 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
Sasaram Nagar (Darigaon) P.S. Case No. 422 of 2022 lodged
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per prosecution case, total 110 liters of *mahua*
wine is alleged to be recovered in this case.

Learned counsel for the petitioner submits that
recovery has been made at the abandon place which is situated
nearby the house of the petitioner. Counsel further submits that
nothing was recovered from the conscious possession of the

petitioner and he is in custody since 26.05.2022 having 2 criminal cases pending against him in which he is on bail. Counsel further submits that co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 30.09.2022 passed in Cr. Misc. No. 50570 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is having criminal antecedent.

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-cum- Additional District & Sessions Judge, Rohtas at Sasaram in connection with Sasaram Nagar (Darigaon O.P.) P.S. Case No. 422 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 an 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.

Speedy trial is the constitutional vision of justice. Admittedly, there are 3 criminal cases pending against the present petitioner (including present one) and all the 3 cases belong to the District Sessions Judge, Rohtas at Sasaram which are as follows :-

1. Sasaram (Muffasil) P.S. Case No. 294 of 2019,
2. Sasaram (Darigaon) P.S. Case No. 1022 of 2012,
3. Sasaram Nagar (Darigaon) P.S. Case No. 422 of 2022.

Let the District and Sessions Judge, Rohtas at Sasaram is directed to do the needful, so that all the cases which are magisterial triable or sessions triable prior to commitment shall run before one Magistrate with one date and the cases which are sessions triable after commitment shall run before one session court with one date and special cases, if any, shall run

before the Special Court with one date.

Let the copy of this order be communicated to the District and Sessions Judge, Rohtas at Sasaram for his perusal and necessary compliance.

With these observations, the bail application stands allowed.

(Dr. Anshuman, J.)

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