

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58473 of 2021

Arising Out of PS. Case No.-436 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Sonu Son Of Satpal Singh Resident Of Village - Narwana Road, Shivpuri
Colony, P.s.- Sadar Narwana, Distt.- Zind, Hariyana.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh
For the Opposite Party/s : Mr. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Hajipur Sadar P.S.Case No. 414 and 420 of the Indian
Penal Code and sections 30(a),36,41(1) of the Bihar Prohibition
and Excise (Amendment) Act , 2018.

As per the prosecution case, it is alleged that the
police on secret information intercepted Tata- 407 which was
being driven by this petitioner. On search 1764.360 liters
foreign made liquor has been recovered which were kept in
cartoons.

Learned counsel for the petitioner submits that



petitioner was driver of the said vehicle and he has no concerned with the said liquor and he was not even aware of the same. It is further submitted that petitioner has got no criminal antecedent and he is in custody since 02.05.2021. It is next submitted that owner of the vehicle in question has also been made accused in this case. It is further submitted that during course of investigation, no material has come against this petitioner, which suggests that involvement of the petitioner in the business of illegal trafficking of contraband liquor. It is also taking note of this fact that there is no independent witness to the alleged search and seizure and there is a violation of Section 100(4) of the Cr.P.C.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that, petitioner is in custody since 02.05.2021, 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-II-cum Excise Court, Vaishali at Hajipur in connection with Hajipur Sadar P.S.Case No. 436 of 2021, 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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