

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50723 of 2022

Arising Out of PS. Case No.-253 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Sunil Kumar, Son of Manai Chaudhari, R/O Village- Khaira, P.S.- Sonhan,
District- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuvan Narayan, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 Mohania P.S. Case No. 253 of 2022 registered
for the alleged offences under Section 30(a) of the Prohibition
and Excise (Amendment) Act-2018.

As per prosecution case, allegedly recovery of 171
liters of India made foreign liquor was made from a car being
driven by this petitioner who was apprehended from the spot

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. Learned counsel further submits that the petitioner is the

driver of the car and he has no knowledge about the consignment. The petitioner has no concern with the seized liquor and nothing incriminating has been recovered from his conscious possession. Charge sheet has been submitted in this case and the petitioner is in custody since 17.05.2022. The petitioner has got clean antecedent.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner and his clean antecedent, 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 learned Special Judge Excise-1-cum-A.D.J.-IV, Kaimur at Bhabua in connection with Kudra P.S. Case No. 253 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)

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