

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51467 of 2022

Arising Out of PS. Case No.-498 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Sanny Kumar @ Sunny Kumar Son Of Sunil Jha @ Sudhir Jha R/O Village-
Keshave, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-10-2022 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
Town P.S. Case No. 498 of 2021, lodged under Sections 414,
120B of Indian Penal Code read with Sections 30(a), 38(i), 41(i)
of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery relating to
the present case is 3798.720 liter of foreign liquor.

Learned counsel for the petitioner submits that
petitioner is not apprehended from the place of occurrence, his
name has figured in this case by virtue of statement disclosed by
the arrested accused person. He further submits that there are 2

criminal cases pending against the petitioner and out of 2 cases in 1 case he is on bail and in 1 case he is persuading for bail. He further submits that petitioner is in custody since 01.07.2022. He also submits that the other similarly situated accused persons were granted bail by the Co-ordinate Bench of this Court vide orders dated 24.12.2021, 07.01.2022, 02.03.2022, 05.08.2022 & 12.08.2022 passed in Cr. Misc. Nos. 54536 of 2021, 58072 of 2021, 72019 of 2021, 37891 of 2022 & 38062 of 2022.

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 Excise Judge-I, Begusarai in connection with Town P.S. Case No. 498 of 2021, 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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