

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51979 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- DEO District- Aurangabad

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Sonu Kumar, Son of Manoj Sikari @ Manoj Shikari, R/O Village- Pasiya
Bhandari, P.S.- Deo, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambuj Kumar Chandra, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 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 Deo P.S. Case No. 79 of 2022 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act 2018.

As per prosecution case, 74.4 liters of country made
liquor was recovered which was being carried by two persons
on a motorcycle who left behind this liquor and escaped from
the spot. The police came to know that one of the escaped
persons was this petitioner.

Learned counsel for the petitioner submits that

petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. Learned counsel further submits that the petitioner is a college student and he is not involved in trading of any liquor or in such type of cases. The name of the petitioner was dragged in this case due to dirty village politics. Charge sheet has been submitted in this case and the petitioner is in custody since 25.05.2022. 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 fact that the petitioner was not apprehended from the spot and no recovery has been shown from him and also 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-I, Aurangabad in connection with Deo P.S. Case No. 79 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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