

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63160 of 2021**

Arising Out of PS. Case No.-209 Year-2020 Thana- HISUWA District- Nawada

SONU KUMAR Son of Vijay Chaudhary Resident of Village - Tungi Chak,
P.S.- Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv.
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 25-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that as per First Information Report, petitioner along with other accused are involved in preparation of illicit liquor. It further appears that on seeing the police personal some persons fled away.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in connection with the



present case. It is further submitted that the petitioner was not apprehended on the spot and anything was recovered from his conscious possession rather the same was recovered from the abandoned place i.e. 100 meter away from village Tungi chal . It is further submitted that similarly situated co-accused persons has been granted bail by this Court vide order dated 16.06.2021 passed in Cr. Misc. No. 22151 of 2021. It is further submitted that the petitioner is in custody since 05.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above name, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Hisua P.S. Case No. 209 of 2020 with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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