

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52991 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- MANJHAGARH District- Gopalganj

Sonu Kumar S/O Ganga Sagar Yadav Resident of village- Dharamparsa, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-10-2022 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.

The petitioner seeks regular bail in connection with
Manjhagarh P.S. Case No. 138 of 2022 lodged under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2016.

As per the prosecution case, the total recovery of
105.120 litres of foreign liquor is alleged to be made from the
Bolero vehicle.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that petitioner is not arrested from the place of occurrence. He

further submits that he is in custody since 03.08.2022 and one criminal case is pending against him which is of same nature.

Learned counsel for the State opposes the prayer for bail and submits that there is criminal antecedent of the petitioner.

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 Additional District and Session Judge IInd Cum-Special Judge Excise Gopalganj in connection with Manjhagarh P.S. Case No. 138 of 2022, 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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