

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64508 of 2021**

Arising Out of PS. Case No.-161 Year-2021 Thana- VISHNUPAD District- Gaya

Sonu Sharma @ Sonu Kumar Sharma Son of Uma Sharma @ Umakant
Sharma Resident of Mohalla - Khatkachak, P.S. - Vishnupad, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Renuka Ratnakar

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

3 25-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 37(2) of Bihar Prohibition and Excise Act.

The petitioner is said to have been arrested in drunken condition.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further



submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.09.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Vishnupad P.S. Case No. 161 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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