

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55202 of 2022**

Arising Out of PS. Case No.-109 Year-2022 Thana- HAYAGHAT District- Darbhanga

SONU KUMAR @ SUNNY KUMAR Son of Hira Sahni Resident of Village
- Maksudpur, Ward No.- 4, P.S.- Hayaghat, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 21-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks bail in connection with Hayaghat P.S. Case No. 109 of 2022 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery of 36 liter illicit liquor from the place of occurrence. The petitioner is apprehended on spot.

Learned counsel for the petitioner submits that petitioner is in custody since 02.08.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that nothing has been recovered from the conscious possession or personal possession of the petitioner. Petitioner has no concern



with the seized liquor. The petitioner is innocent and has falsely been implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, I, (Excise Act), Darbhanga in connection with Hayaghat P.S. Case No. 109 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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