

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56375 of 2022

Arising Out of PS. Case No.-319 Year-2022 Thana- NAUTAN District- West Champaran

Sonu Kumar Singh @ Sonu Kr. Singh Son of Late Durga Singh Resident of Village - Madhubani Dubey Tola, Police Station - Sangrampur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with Nautan P.S. Case No. 319 of 2022, lodged under Section 414 of Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the total recovery of 30.24 liter of Indian made foreign liquor has been made, which is subject matter of the present case.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He also

submits that the said recovery was made from the motorcycle but petitioner is neither owner nor driver of the said motorcycle. Learned counsel further submits that there is one criminal case pending against the petitioner which has been filed at subsequent time. Learned also submits that petitioner is in custody since 06.06.2022 and charge-sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

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 Exclusive Special Judge, Bettiah, West Champaran in connection with Nautan P.S. Case No. 319 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 an 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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