

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71959 of 2021

Arising Out of PS. Case No.-920 Year-2021 Thana- KHAGARIA District- Khagaria

Sonu Kumar S/o Gopal Prasad @ Gopal Prasad Sah Resident of N.A.C. Road
Ward No.-11, P.S. and District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-05-2022 Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Khagaria P.S. Case No.920/2021 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

The allegation in the FIR is that upon secret
information, the shop of the petitioner was raided and upon
search it is alleged that 41.400 of foreign liquor was
recovered/seized. The FIR was instituted and the petitioner was
arrested and is in jail since then.

Considering the fact that the petitioner is in custody
since 23.11.2021 (as stated in para-22 of the bail application)
and charge sheet stands submitted, this Court is inclined to grant
him privilege of bail, but in view of the fact that he has criminal



antecedent certain conditions are necessary to be imposed.

Let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each in connection with Khagaria P.S. Case No.920/2021 to the satisfaction of learned Special Judge (Excise), Khagaria, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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