

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12070 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- KUNDWACHAINPUR District- East
Champaran

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Sonu Kumar Baitha S/O Duba Baitha Resident Of Village- Mirzapur, P.S.-
Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30 (a) 41
(1) of the Bihar Prohibition and Excise Act.

As per FIR, 45 liters Nepali liquor was recovered
from the Motorcycle of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. No incriminating article has been recovered from the
conscious possession of the petitioner. He further submits that
petitioner is owner of the motorcycle and he has no concern
about the said liquor and his brother was apprehended with the



liquor at the place of occurrence. Petitioner was not present at the place of occurrence, he was working in Indore which is mentioned in Para-7 of the bail application. The petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 10,000 (Ten thousand) in the account of Bihar State Bar Council Welfare Fund bearing Account No.31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Kundwa Chainpur P.S. Case No. 188 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Bihar State Bar Council Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

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