

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38509 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- BACHHWARA District- Begusarai

SANNI KUMAR Son of Chandan Das Resident of Village - Suro, Kali
Asthan, P.S.- Bachhwara, District - Begusarai (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mrs.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-07-2023 No one appears on call.

The petitioner is in custody since 31.3.2023 in connection with Bachhwara P.S. Case No. 101 of 2023 for the offence punishable under Sections 30(a) of Bihar Prohibition & Excise Act, 2018 lodged on 30.3.2023 by the informant Arvind Kumar Suman.

The prosecution story, in brief, is that the informant alleged that on 30.3.2023 he got secret information that a red colour Tempo is moving with loaded 'Tari'. He proceeded there with police party and saw that a Tempo without number plate was standing and seeing the policy party, one person tried to flee but caught. He disclosed his name as Sanni Kumar and stated that the consignment was to be delivered to Dinesh Sah. Upon of search the Tempo, total 385 liters of 'Tari' was recovered.



As per the petition, the petitioner was neither driver nor owner of the said Tempo and was standing on the side by, got implicated.

Learned APP opposes the prayer.

Considering the fact that the petitioner is a student, is in custody since 31.3.2023 and has no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise-1st, Begusarai, in connection with Bachhwara P.S. Case No. 101 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

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

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

