

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47200 of 2023

Arising Out of PS. Case No.-451 Year-2023 Thana- PATNA RAIL P.S. District- Patna

SANNI KUMAR Son of Rajesh Mallik Resident of Yarpur, Dom Khana, P.S.-
Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
05.06.2023 in connection with Patna Junction (Rail) P.S. Case
No. 451 of 2023, F.I.R. dated 02.06.2023 for the offences
punishable under Sections 147, 149, 332, 333, 353, 427, 504 of
the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act and Section 151/152 of Railway Act.

Recovery is of 230.640 liters of foreign liquor and
Rs.1,87,590/-.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and



petitioner was not present at the place of occurrence and the name of the petitioner has been transpired on the basis of disclosure made by co-accused Nikhil Raj and nothing has been recovered from the conscious possession or the house of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 05.06.2023.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Patna Junction (Rail) P.S. Case No. 451 of 2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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