

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54007 of 2023

Arising Out of PS. Case No.-232 Year-2023 Thana- MUFFASIL District- Aurangabad

Ramesh Lal Sonkar Son Of Late Pagal Sonkar Resident Of Village- Goshala
Vikash Nagar, Ps- Ramgadh, Distt- Ramgadh (Jharkhand), At Present
Residing At Pahadipar Ps- Hariharganj, Distt- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2023

Heard the parties.

The petitioner is in judicial custody in connection with Aurangabad Muffasil P.S. Case No.232 of 2023 instituted under Section 30(a) of Bihar Excise Prohibition Amended Act, 2018 lodged on 06.06.2023 by the informant Kanhaiya Sharma.

As per the prosecution story, the police intercepted a pick-up van and recovered/seized 141.300 liters foreign liquor. Accordingly, the driver-petitioner was arrested and the FIR lodged.

The case of the petitioner is that he was carrying water bottles and medicines, little realizing that underneath the liquor has also been kept. He has already suffered by being in custody since 07-06-2023 (para-1 of the petition) and do not have criminal antecedent.



Learned APP opposes the prayer for bail.

Taking into account the submissions put forward by the learned counsel for the petitioner as also that he do not have criminal antecedent and is in custody since 07.06.2023 this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Aurangabad Muffasil P.S. Case No.232 of 2023 to the satisfaction of learned Special Judge Excise, Ist, Aurangabad, Bihar, 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 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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