

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56313 of 2023

Arising Out of PS. Case No.-272 Year-2023 Thana- SAHPUR District- Bhojpur

Sonu Sonar Son Of Kishori Gupta Resident Of Village - Lacchutola, P.S. -
Sahpur (Dhobha OP), District - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-08-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Shahpur (Bahoranpur) P.S. Case No. 272 of 2023 dated
18.06.2023, lodged under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018 read with Sections 25(1-b)/
26/ 35 of the Arms Act.

4. As per the prosecution case, the total recovery of
70.20 litre of excise material has been made, which is the
subject matter of the present case.

5. Learned counsel for the petitioner submits that the
petitioner has not been apprehended from the place of

occurrence rather his name has figured in this case by virtue of the confessional statement of a person who was driving the motorcycle. Counsel submits that the antecedent of the petitioner is clean and he is in custody since 26.06.2023.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court, II, Bhojpur, Ara in connection with Shahpur (Bahoranpur) P.S. Case No. 272 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned

police station every month for one year to mark attendance;

(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 the bail bonds; and

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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