

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56433 of 2023

Arising Out of PS. Case No.-205 Year-2023 Thana- MIRGANJ District- Gopalganj

Sonu Kumar Chauhan son of Lalan Mahto @ Lalan Chauhan Resident Of
Village -Kabilswa, PS- Mirganj, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-08-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Mirganj P.S. Case No. 205 of 2023 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act lodged on 05.06.2023 by the informant, Anil Kumar.

3. As per the prosecution story, the police intercepted the scorio upon secret information and recovered/seized 707.280 foreign liquor. Although the police tried to apprehend the accused persons, they managed to escape.

4. It is the case of the petitioner that his name has come on the basis of secret information, he does not own the vehicle and has remained in custody since 21.06.2023 (para-9 of the petition).



5. Learned APP opposes the prayer.

6. Taking into account the fact that he does not own the vehicle, not arrested from the spot, nothing has been recovered from his conscious possession, do not have criminal antecedent and is in custody since 21.06.2023, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 Additional Sessions Judge-IV-cum-Special Judge Excise Court No.II, Gopalganj, in connection with Mirganj P.S. Case No. 205 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.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Mkr./-

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

