

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61281 of 2022**

Arising Out of PS. Case No.-395 Year-2022 Thana- SAHPUR District- Patna

Sonu Chaudhary @ Sonu Kumar Son of Santu Chaudhary R/o Mohalla- Gola  
Road, Jhakhari Mahadeo Asthan, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      06-01-2023      Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Special Case Excise No. 1292 of 2022 arising out of Shahpur P.S. Case No. 395 of 2022 registered under Sections 30(a), 41 and 56 of Bihar Prohibition And Excise Act.

Having no criminal antecedents, the petitioner is in custody on alleged recovery of 60 litres from a scooty, on which he was sitting as a pillion rider.

Learned counsel for the petitioner submits that petitioner is in



custody since 07.08.2022 and he has no connection with the alleged recovery. It is submitted that it is a case of false implication and there is no recovery from this conscious possession.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur (Patna) in Special Excise Case No. 1292 of 2022 arising out of Shahpur P.S. Case No. 395 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

SUMIT/-

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