

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4427 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- HATHUA District- Gopalganj

Sonu Singh Son of Vinod Singh @ Vinod Kumar Singh R/o vill - Pachlakhi,
P.S. - Nautan, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-02-2024

Heard the parties.

2. The petitioner is in custody in connection with Hathua P.S. Case No. 257 of 2023 for the offence punishable under section 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2022 lodged on 26.10.2023 by the informant, Sanjay Kumar Tiwari.

3. As per the prosecution story, the police upon information tried to intercept the motorcycles, the accuseds escaped and on search of the bags, 126 liters of Bunt Babli liquor and 17 liters of 8 P.M. wine were recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the motorcycle does not belong to him and due to local enmity, he has been implicated and is in custody since 16.12.2023 (as



stated in paragraph 18 of the petition).

5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also that the petitioner does not own the motorcycle, is in custody since 16.12.2023, 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) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-Ii-cum-Special Judge Excise-I, Gopalganj, in connection with Hathua P.S. Case No. 257 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/her 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 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)

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