

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55710 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- DUMRA District- Sitamarhi

SONU KUMAR SON OF CHANDESHWAR SAH R/O- VILLAGE-
AZAMGARH NAGWAN, JAGDISHPUR TOLA, P.S.- DUMRA, DISTT.-
SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2024 Heard Mr. Ayush Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection
with Dumra P.S. Case No. 100 of 2024 instituted under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2022 lodged on 05.03.2024 by the informant, Ajeet
Kumar.

3. As per the prosecution story, the informant alleged
that in course of patrolling, when reached at the Mango orchard,
saw a person trying to escape leaving his motorcycle. From it,
there is recovery of 27 liters of Nepali Suafi liquor. Accordingly,
the FIR.

4. Learned counsel for the petitioner submits that he



being the owner, implicated. He submits that one co-villager had taken the motorcycle little realizing that it will be carrying the liquor. Further submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer.

6. Considering the aforesaid facts as also that he do not have criminal antecedent, being the owner, his name has come and has to face the trial, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Dumra P.S. Case No. 100 of 2024 to the satisfaction of learned Exclusive Special Excise Court-I, Sitmarhi subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative 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 next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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.

(Rajiv Roy, J)

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