

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67779 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- BELA District- Sitamarhi

Sanjay Kumar S/o Sukeshwar Pandit Resident of Village- Hanuman Nagar
Ward No 02, Lalbandi Darbar, PS- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-11-2024 Heard Mr.Birendra Kumar, learned counsel for the

petitioner and Mr.Bhanu Pratap Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
15.08.2024 in connection with Bela P.S. Case No. 193 of 2024,
F.I.R. dated 14.08.2024 registered for the offence punishable
under Section 30 (a)of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. Recovery is of 864 litres Nepali Sofi wine from
Scorpio vehicle and 36 litres of Nepali Sofi from the Auto.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. The allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as



alleged in the FIR. Further submits that from a bare perusal of the FIR it appears that the recovery has been made from the Scorpio and Auto in question and petitioner is neither the driver nor the owner of the vehicle in question and the petitioner was sitting in the Scorpio and co-accused persons, namely, Saroj Kumar and Santosh Kumar have been granted bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No.67422 of 2024 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 15.08.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Sitamarhi in connection with Bela P.S. Case No. 193 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

