

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69219 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- GUTHANI District- Siwan

Sonu Kumar Bharti Son of Viran Ram Resident of Village- Vishunpura,
Sohagra, P.S. - Guthni, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Adv.

For the Opposite Party/s : Ms. Narsingh Tanti, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Allegedly, 6 kartoons of Bunty Buble liquor (total 270 pieces) have been recovered from the motorcycle of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious physical possession of the petitioner or from his house. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled



against the petitioner is totally false and based on concocted facts. He was not apprehended on the spot. His name has been transpired in the present case merely because he is owner of one of the seized motorcycles bearing reg. no. UP-52-AH-2314, which was taken away by his co-villager for his personal work. He had no knowledge of keeping of the said liquor in the vehicle. Petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) in account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Guthni P.S. Case No. 190 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C,



subject to the further conditions that

(1) 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. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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