

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80230 of 2024**

Arising Out of PS. Case No.-301 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

SONU KUMAR SON OF RAVINDRA SINGH RESIDENT OF VILLAGE -  
KUDASAN (KURASAN), P.S. - BHABUA, DISTRICT - KAIMUR  
(BHABUA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      21-11-2024                      Heard the parties.

2. The petitioner is in custody in connection with Durgawati P.S. Case No. 301 of 2024 for the offence punishable under sections 338, 336,(3), 319(2) and 318(4) of the Bharatiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act lodged on 24.09.2024 by the informant, Krishna Kumar Pandit.

3. As per the prosecution story, the informant alleged that on secret information, intercepted a car coming from Uttar Pradesh and upon search, 131 liters of English liquor as well as country-made liquor recovered/seized. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that he



is not the owner of the vehicle, had taken lift from Vinay Prakash little realizing that the car carries the liquor, has no criminal antecedent and is in custody since 24.09.2024 (paragraph-10 of the petition).

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer for bail submitting that he was in the car when the recovery/seizure was made.

6. Considering the aforesaid facts as also that the petitioner does not own the car, have no criminal antecedent and is in custody since 24.09.2024, 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 Special Judge, Excise II, Kaimur at Bhabua, in connection with Durgawati P.S. Case No. 301 of 2024 subject to the following 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 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.

**(Rajiv Roy, J)**

Adnan/-

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