

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84023 of 2024

Arising Out of PS. Case No.-433 Year-2024 Thana- Excise P.S. District- Sheikhpura

Sonu Kumar Son of Late Gautam Ram Resident of Village- Indaypar,
Chakpura, P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Sarita Kumari, Advocate
	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024 Heard Mrs. Sarita Kumari, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Sheikhpura Excise P.S. Case No. 433 of 2024 for the offences punishable under Sections 30(A) and 56(B) of the Bihar Prohibition and Excise Act, lodged on 30.10.2024 by the informant, Sikandar Kumar.

3. As per the prosecution story, the informant alleged that the Police on secret information intercepted a E-Rickshaw and there is recovery/seizure of 52.500 liters of country made liquor. This led to the F.I.R./arrest.

4. Learned counsel for the petitioner submits that that though the petitioner owns the E-Rickshaw, had knowledge



about passenger keeping the liquor, as absolutely no criminal antecedent and being the only bread earner his long jail period has led to suffering in his family.

5. Learned APP for the State opposes the prayer submitting that he owns the E-Rickshaw.

6. Taking into account the submissions put forward by the parties as also the fact that the petitioner do not have criminal antecedent and is in custody since 30.10.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Judge, Sheikhpura, in connection with Sheikhpura Excise P.S. Case No. 433 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 *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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;

(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 bail bonds.

(Rajiv Roy, J)

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