

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7174 of 2017

Arising Out of PS.Case No. -415 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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1. Krishna Choudhary, S/o Late Gyanchand Choudhary, resident of village -
Dariyaongan, P.S. Chapra Mufassil, District - Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan.
Mr. Dewendra Narayan Singh
For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 The petitioner is in custody since 26.12.2016 in
connection with Chapra (Saran) Muffasil P.S. Case No. 415 of
2016, registered for offences punishable under Sections 272 and
273 of the Indian Penal Code and Section 30, 38 and 41 of the
Bihar Excise Amendment Act, 2016.

It has been submitted on behalf of the petitioner that
though there is allegation of recovery of 24 litres of country made
liquor from the petitioner and other co-accused persons, the same
was not recovered from the conscious possession of the petitioner,
however he has been sufficiently punished for the said offence.
Petitioner has no criminal antecedent and has been in judicial
custody since 26.12.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and
circumstances of the case, nature of offence and period of custody,



let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Chapra (Saran) Muffasil P.S. Case No. 415 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear if the petitioner again found involved in any of the offences, his bail bond will be cancelled.

(Vinod Kumar Sinha, J)

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