

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22492 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -JHAJHA RAIL P.S. District- LAKHISARAI

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1. GOPAL KUMAR CHOUDHARY @ GOPAL CHOUDHARY Son of
Kallu Choudhary, Resident of Village- Brindawan Harizan Colony, P.S.
+District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with
G.R.P.Rail Jhaja Case No.17 of 2017 registered for offences
punishable under Sections 30A, 38(i) and 41(i) of Bihar
Prohibition and Excise Act, 2016.

The petitioner is named in the F.I.R. and the allegation is
about recovery of liquor, which has been recovered from the
possession of the co-accused persons.

It is submitted on behalf of the petitioner that nothing has
been recovered from the possession of the petitioner and his name
was disclosed by the co-accused persons. It is further submitted
that the petitioner has no criminal antecedent and he has remained
in custody for about one year.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that nothing has been recovered from the possession of the petitioner and he has clean antecedent, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Addl. Distt. & Sessions Judge, 2nd –cum-Special Judge, Lakhisarai in connection with G.R.P.Rail Jhajha P.S.Case No.17 of 2017.

With 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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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