

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51533 of 2017

Arising Out of PS.Case No. -112 Year- 2017 Thana -BARBIGHA District- SEKHPURA

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1. Sukar Chaudhary @ Shanichar Chaudhary @ Sukra Chaudhary S/o
Naresh Chaudhary, R/o Village- Narayanpur, P.S.- Barbigha, District-
Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-11-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Barbigha

P.S. Case No. 112/2017, Excise Case No. 310/2017 for

offences punishable under Sections 420, 414, 409, 467, 468,

471, 272, 273, 188 of the Indian Penal Code and Section 30

of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police

personnel, is that on secret information the field was raided

and 20 litres of country-made liquor was recovered. The

accused persons, five in number, managed to flee away, who

have been named in the First Information Report.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and it is only on the basis of suspicion that he has been made accused. He further submits that three of the co-accused have been granted privilege of bail by this Court in Cr. Misc. No. 47310 of 2017 on 11.10.2017 and petitioner is languishing in judicial custody since 19.09.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. District and Sessions Judge, Sheikhpura, in connection with Barbigha P.S. Case No. 112/2017, Excise Case No. 310/2017, subject to the following conditions :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to
move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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