

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55704 of 2017

Arising out of P.S. Case No.-21 Year-2017 Thana-
BHAIRABASHTHAN District- Madhubani

-
1. Suresh Chaudhary S/o Jay Kumar Chaudhary
2. Mukesh Chaudhary S/o Late Bhubneshwar Chaudhary
Both R/o Village-Ranipur, P.S.-Sadar Darbhanga,
District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.

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

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek bail in a case registered for offences under Sections 272 and 273 of the Indian Penal Code and Sections 30 (a) and 38(1)(2) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, allegedly there is huge recovery of illicit foreign liquor from the PACS' godown on the basis of confessional statement made by these petitioners who were apprehended in this case. It is contended



that the godown was under the control of the management and the Chairman of PACS has already been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 21.07.2017 passed in Cr. Misc. No. 27867 of 2017, as contained in Annexure-2. It is urged that the petitioners have remained in custody since 04.10.2017.

Considering the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on their furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Bhairab Asthan P.S. Case No. 21 of 2017 with a condition that that one of the bailors of the petitioners must be the close relative or their family member, who will file affidavit before the court below giving full genealogy showing his or her relationship with the petitioners.

Further, if the petitioners, after their release in this case, are again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of their bail bonds.

In view of the antecedent of the petitioners, they



would be required to appear before the Superintendent of Police, Madhubani within fifteen days of their release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioners will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned which should be granted by the Superintendent of Police concerned upon their appearance.

(Dr. Ravi Ranjan, J)

Vikash/-

U		T	
---	--	---	--

