

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27946 of 2017

Arising Out of PS.Case No. -197 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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1. Sanjay Chaudhary son of Late Bigu Chaudhary resident of Village :
Lakhraw, P.S. Siwan (M), District : Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-08-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody
since 10.05.2017 in connection with Siwan (M) P.S.
Case No. 197/2017 for offences punishable under
Sections 272, 273, 420, 308 of the Indian Penal Code
and Section 41(1) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, as lodged by the police
personnel, is that while on patrolling duty they received
confidential information that petitioner and one another
have concealed some illicit liquor in a bush. On raid the
police recovered 15.400 litres of liquor from the bush



but the petitioner along with another co-accused managed to flee away.

It has been submitted by the learned counsel for the petitioner that he is innocent, nothing has been recovered from his conscious possession and he has been falsely implicated in the aforesaid case.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and two more cases, one of similar offence, are pending against him.

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 Addl. Sessions Judge-II, Siwan, in connection with Siwan (M) P.S. Case No. 197/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and 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)

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