

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55055 of 2017

Arising out of PS. Case No.-154 Year-2017 Thana-
MAHARAJGANJ District- Siwan

=====

Mukund Choudhary, Son of Sri Chandrika Choudhary resident of
village - Akil Tola, P.S. - Maharajganj, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Adv.

For the Opposite Party/s: Mr. Umeshnand Pandit, APP.

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

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

State.

The petitioner seeks bail in a case registered for
offences under Sections 272, 273, 308, 402 and 414/34 of the
Indian Penal Code and Sections 30 (1) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

It is contended that, as per allegation, huge quantity
of foreign liquor was recovered from a Bolero pick up van
which allegedly belong to the petitioner but nothing has been
recovered from the conscious possession of the petitioner.

Learned counsel for the petitioner submits that it has



been shown that petitioner was apprehended on spot but this is not the fact rather the petitioner was later on called by the police and since he is involved in another case he has been implicated in this case. It is further contended that if he has been arrested from the spot his signature ought to have been taken on the seizure-list along with the witnesses of seizure-list. It is urged that the petitioner has remained in custody since 01.09.2017, i.e., for about more than two and half months.

Considering the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge-II, Siwan in connection with Maharajganj P.S. Case No. 154 of 2017 with a condition that one of the bailors of the petitioner(s) must be the close relative or his family member, who will file affidavit before the court below giving full genealogy showing his or her relationship with the petitioner.

Further, if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps



for cancellation of his bail bonds.

In view of the antecedent of the petitioner, he would be required to appear before the Superintendent of Police, Siwan within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner 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 petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

Vikash/-

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

