

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2578 of 2019

Arising Out of PS. Case No.-468 Year-2018 Thana- KATIHAR District- Katihar

Chandan Kumar Choudhary Late Prakash Choudhary Resident of Mohalla-Driver Tola, P.S.- Town, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-01-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Katihar Town P.S. Case No. 468 of 2018 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 81.4 litres of foreign liquor from the Tempo. Petitioner is also accused in another case bearing Katihar Town P.S. Case No. 964 of 2017 under Section 30(a) of Excise Act, in which he is on bail.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner



would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II, cum-Special Judge, Katihar, District- Katihar, in connection with Katihar Town P.S. Case No. 468 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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