

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50396 of 2019

Arising Out of PS. Case No.-70 Year-2019 Thana- TAJPUR District- Samastipur

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ROHIT KUMAR CHAUDHARY @ ANUJ KUMAR CHAUDHARY @
ROHIT CHAUDHARY S/o Narendra Kumar Chaudhary @ Narendra Kumar
@ Thagan Chaudhary Resident of Ward No.- 3 ,Village- Amritpur Chandauli
Nikashpur, P.S. Tajpur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan Sinha, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 05-11-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner in this case is seeking anticipatory bail
in connection with Tajpur P.S. Case No. 70 of 2019 registered
for the offences punishable under Sections 272, 273 of the
Indian Penal Code and Section 30(a) of Bihar Prohibition &
Excise Act.

Learned counsel for the petitioner submits that the
petitioner has been involved in this case on mere suspicion. It is
submitted that no illicit liquor has been recovered from his
possession and there is no material save and except one
statement of the Chaukidar that the petitioner was one amongst
the accused who fled away on seeing the Police, there is no
other material to connect this petitioner in this case.



Learned counsel for the State submits that it is a fact that no recovery has taken place from the possession of the petitioner.

In the given facts and circumstance of the case, considering that the illicit liquor has not been recovered from the house of the petitioner and further that he has no criminal antecedent and his name has come only in the statement of the Chaukidar saying that he was one amongst the accused who had fled away, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Tajpur P.S. Case No. 70 of 2019 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge Excise, Samastipur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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