

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.10554 of 2019

Arising Out of PS. Case No.-403 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

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Pukar Chaudhary S/o Achchhelal Chaudhary Residence of Village- Bhada
Kala, P.S- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Siwan Mufasil P.S. Case No. 403 of 2018
registered for the offence punishable under Sections 272, 273 of
the Indian Penal Code and Sections 30(a), 38(1) of the Bihar
Excise & Prohibition Act, 2016.

Allegation is recovery of 69.120 litres of foreign
liquor from the tempo.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this
case at the instance of village politics. Nothing has been



recovered from the possession of petitioner. The alleged liquor was recovered from the tempo of which petitioner was one of the passenger only. Petitioner is in custody since 31.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge IInd -cum-Special Judge, Excise, Siwan, in connection with Siwan Mufasil P.S. Case No. 403 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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