

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78602 of 2018

Arising Out of PS. Case No.-101 Year-2018 Thana- MADHEPUR District- Madhubani

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Mahendra Choupal, son of Late Janak Chaoupal, resident of village-
Maiharahi, P.S. Madhepur, District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.

For the Opposite Party/s : Smt. Veena Kumari Jaiswal (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Madhepur P.S. Case No. 101 of 2018 registered for the
offences punishable under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise Act,
2016.

Informant who is police officer has stated in his self
statement that one accused Dilkhush Jha was arrested with
country made liquor and on his confession the house of petitioner
was raided and from his house 1477 liters of country made liquor
was recovered who disclosed that same was kept by Chandel
Chaupal and Md. Sakir for which he was paid Rs. 10,000/- for
keeping the illicit liquor.

It has been submitted on behalf of the petitioner that
he is innocent and has committed no offence. He has been falsely



implicated in this case. There is no allegation of petitioner being involved in trade of illicit liquor and allegations is of keeping the illicit liquor of other accused on payment. It has been further submitted that petitioner has no criminal antecedent and aged about 60 years and is in custody since 20.09.2018

Considering the aforesaid fact 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 2nd Additional District and Sessions Judge-cum-Special Judge Excise Act, Madhubani, in connection with Madhepur P.S. Case No. 101 of 2018, subject to conditions:

- (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 bonds.

(S. Kumar, J)

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