

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75312 of 2019

Arising Out of PS. Case No.-332 Year-2019 Thana- BAJPATI District- Sitamarhi

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Naveen Kumar Chaudhary, aged about 39 years (Male) Son of Shiv Kant Chaudhary Resident of Village-Bajitpur, P.S-Bajpatti, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the State : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 26-11-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has moved the Court seeking pre-arrest bail in connection with Bajpatti PS Case No. 332 of 2019 dated 23.09.2019 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is alleged that the petitioner upon seeing the police party ran away and from the place 20 pieces of nepali liquor of 300 ml. each totalling 6 litres were seized.

4. Learned counsel for the petitioner submitted that he was not caught at the spot and the place from where the recovery is made is also not his land. It was submitted that even the



recovered quantity is small and could have been for personal consumption but the petitioner is not involved in the trade of liquor.

5. Learned APP submitted that the petitioner ran away from the place and, thus, obviously, the recovered liquor belonged to him.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ, IInd-cum-Special Judge, Excise Act, Sitamarhi in Bajpatti P.S. Case No. 332 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present



before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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