

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17391 of 2020

Arising Out of PS. Case No.-42 Year-2020 Thana- BARBIGHA District- Sheikhpura

Santosh Chaudhary, Male 35 years, S/O Late Nande Chaudhary, Resident of
Village - Narayanpur, P.S. Barbigaha, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Prasad Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-04-2020 This matter is taken up through video conferencing.

Heard Dr. Anjani Prasad Singh, learned counsel for the
petitioner and Mr. Dilip Kumar Singh, learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case is that the petitioner was
apprehended by the police on suspicion, from out side his house,
and thereafter house of the petitioner was searched and two litres
of country made liquor was recovered.

Submission of learned counsel for the petitioner is that
petitioner has got no criminal antecedent and the house is occupied
by other family members also. Petitioner is in custody since
20.02.2020. Investigation of the case is already complete against



the petitioner.

Considering the aforesaid submission and the nature of allegation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Excise Case No. 76 of 2020 arising out of Barbigha P.S. Case No. 42 of 2020, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

In case, the petitioner is unable to furnish the sureties in view of the continuing threat of COVID-19, the petitioner shall be released **provisionally** by the jail authorities on his personal bond giving undertaking that soon after normalization of the situation, the petitioner would furnish sureties before the learned court below and thereafter the court concern shall confirm the bond of the petitioner after verification of sureties.

Sd/- (Birendra Kumar, J)

Certified to be true copy.

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