

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 20364 of 2020

Arising Out of PS. Case No.-883 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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BANTY CHAUDHARY @ ABHISHEK KUMAR Son of Late Sanjay Kumar
Chaudhary @ Bablu Resident of Village - Kishun Nagar (Kanti), Police
Station - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-06-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

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

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 272, 273,
399 and 402 of the I.P.C. and Section 30(a) of the Bihar
Prohibition and Excise Act and Sections 25(1-b), a/26/27/35 of
the Arms Act.

Allegation is recovery of 3.75 litres of foreign liquor
and 20 litres of spirit from the petitioner and other co-accused.

It has been submitted on behalf of petitioner that he is



innocent and has been falsely implicated in this case only on the basis of suspicion. Nothing was recovered from the conscious possession of petitioner nor he was apprehended on the spot. His name has surfaced in this case on the basis of confessional statement of apprehended persons. Similarly placed co-accused, persons have been granted bail by a co-ordinate Bench of this Court as contained in Annexure 2 and 2/A. Petitioner has no criminal antecedent and he is in custody since 21.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Kanti P.S. Case No. 883 of 2019 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)

veena/rajiv-

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