

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32804 of 2020

Arising Out of PS. Case No.-202 Year-2020 Thana- BAIRIYA District- West Champaran

Horil Chaudhary, S/o Late Harendra Chaudhary, R/o village- Bhitaha, P.S.-
Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7, Advocate
For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-12-2020 Heard learned counsel for the parties through Video Conferencing.

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

As per the prosecution case, 5.58 liters of foreign liquor has been recovered from the motorcycle of the petitioner and he was apprehended on the spot.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to his criminal antecedent and the said motorcycle and liquor belong to co-accused, Deepu Kumar. Petitioner is in custody since 07.05.2020 and charge-sheet has already been submitted.

However, learned A.P.P. for State has vehemently



opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran in Bairiya Police Station Case No. 202 of 2020, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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