

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67180 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- BHANGWANPUR HAT District- Siwan

Sunil Chaudhary, S/o Nandu Chaudhary, R/o village- Bahadurpur, P.S.-
Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Udit Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-01-2020 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Bhagwanpur Hat P.S. Case No.195 of 2018 registered for the offence punishable under Sections 272, 273, 308 and 420 of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that no illicit liquor has been recovered from the conscious possession of this petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the recovery of illicit liquor has been wrongly shown from the house



of this petitioner and that in fact in a bush beside the house illicit liquor was recovered and further submission that the petitioner has remained in custody for about four and half months but taking into consideration that the petitioner has criminal antecedent of similar nature, this Court directs that on completion of six months of custody only the petitioner shall be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Siwan in connection with Bhagwanpur Hat P.S. Case No.195 of 2018, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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