

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12162 of 2021

Arising Out of PS. Case No.-284 Year-2020 Thana- ATRI District- Gaya

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UPENDRA CHAUDHARY @ UPA CHAUDHARY Son of Suresh
Chaudhary Resident of Village- Chakra, P.S- Atri Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-06-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in Atri P.S. Case No. 284 of
2020, registered for the offence punishable punishable under
Sections 272, 273 of the Indian Penal Code and section 30(a)(d)
of the Bihar Prohibition and Excise Act, 2018.

50 litres of Mahua liquor, two aluminum utensils and
1600 Kg Jawa Mahua is said to have been recovered from
Badhar.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. Petitioner was not
apprehended on the spot and has no concern with the seized
liquor. Name of this petitioner has come in this case on the basis



of confession of apprehended persons. Other co-accused have been granted bail by this court vide order dated 05.02.2021 passed in Cr. Misc. No. 37787 of 2020 and order dated 02.02.2021 passed in Cr. Misc. No. 37060 of 2020. Petitioner bears clean antecedent and he is in custody since 15.10.2020.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged 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, Gaya in connection with Atri P.S. Case No. 284 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

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