

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34087 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- BELA INDUSTRIAL District- Muzaffarpur

Pappu Choudhary @ Pappu Kumar Mantri S/o Mahendra Choudhary R/o-
Rambagh Road, Near Mahavir Sthan, P.S.- Mithanpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No. 13
		Mr. Rohit Kumar
For the Opposite Party/s :		Mr. Anil Kumar A.P.P

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Bela P.S.Case No. 03 of 2021 for the offences
punishable under Section 272 and 273/34 of the Indian Penal
Code and section 30(a) and 36 of Bihar Prohibition and Excise
Act 2016.

As per prosecution case, some people were assembled
to sale and purchase foreign liquor. 24.675 liters illicit foreign
liquor were recovered from the possession of Ram bali Sah.
When police raided on the spot, two persons managed to escape



by Apache motorcycle including the petitioner.

Learned counsel for the petitioner submits that petitioner has no criminal antecedent and his name has been surfaced on the basis of confessional statement of co-accused Rambali Sah. He has no consent with other co-accused. Petitioner is in jail custody since 20.03.2021.

The learned A.P.P opposed the prayer for bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with Bela P.S. Case No. 03 of 2021 corresponding to G.R.No. 110 of 2021, subject to the 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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



3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentions order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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