

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31269 of 2020

Arising Out of PS. Case No.-182 Year-2020 Thana- HILSA District- Nalanda

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BALMIKI CHAUDHARY Son of Bindeshwar Chaudhary Resident of
Mohalla - Deepnagar, Bihari Road, P.S. - Hilsa, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-04-2021 Heard learned counsel for parties.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable under Sections 30(a), 56(D) of the Bihar Prohibition and Excise Act, 2016.

As per FIR, allegation is of recovery of 415 litre of illicit country made liquor from the house of accused Biru Singh.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Nothing has been recovered from the possession of the petitioner. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Kunal Kumar. No offence under Excise Act is made out against petitioner. Petitioner has no criminal antecedent.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his/her arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/-with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Hilsa P.S. Case No. 182 of 2020** subject to the conditions as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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.

(S. Kumar, J)

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