

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31178 of 2020**

Arising Out of PS. Case No.-7 Year-2020 Thana- JAMALPUR District- Munger

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Sachin Choudhary @ Sachin Kumar, Son of Late Sattan Choudhary @
Satyanarayan Choudhary, Resident of Sarobagh, Police Station - Dharhara,
District - Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 05-02-2021 Heard learned counsel for the petitioner and Mr. Ram
Chandra Singh, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Jamalpur P.S. Case No.07/2020
registered for the offences punishable under Sections 30(a)/32
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 this petitioner was not there
on the motorcycle and the three persons who were on
motorcycle have been arrested. It is submitted that so far as this
petitioner is concerned, he has been implicated because the
motorcycle is registered in his name but nobody has seen this



petitioner with the motorcycle when it was intercepted by the police. The petitioner has otherwise no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed that this petitioner was not there on the motorcycle, the three persons who were on motorcycle have been arrested and so far as this petitioner is concerned, he has been implicated because the motorcycle is registered in his name but nobody has seen this petitioner with the motorcycle when it was intercepted by the police and the petitioner has otherwise no criminal antecedent, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Jamalpur P.S. Case Bo.07/2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the 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;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

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 petitioner has concealed his 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-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

