

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5900 of 2021

Arising Out of PS. Case No.-359 Year-2019 Thana- MANJHI District- Saran

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Bablu Kumar Chaudhary alias Bablu Kumar Chaudhari Son of Lalan Chaudhary Resident of Village - Kalopati, P.S. - Mirganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Manjhi P.S. Case no. 359 of 2019 registered under sections 30, 30(a) and 38(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 8825 litres of IMFL was recovered from the truck. The driver of the truck had managed to escape. It is further stated that after some time a Bolero vehicle came and stopped near the truck and one person approached the truck. Two persons were caught by the police personnel including the petitioner herein.

It is submitted by learned counsel for the petitioner that earlier application of the petitioner for bail was rejected vide order dated 27.5.2020 passed in Cr.Misc. no.3331 of 2020. The petitioner has no criminal antecedent and is in custody since



23.11.2019.

The application for bail is opposed by learned A.P.P.
for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 23.11.2019, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Manjhi P.S. Case no. 359 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 2nd -cum-Special Judge, Excise, Saran at Chapra.

It is further directed that the petitioner shall remain physically present in Court on each date of the trial and in case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation of the petitioner, the bail bond of the petitioner shall be cancelled and he shall be taken into custody till conclusion of the trial.

(Partha Sarthy, J)

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