

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2859 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- KATRA District- Muzaffarpur

DEEPAK KUMAR @ DEEPAK CHAUDHARY Son of Vishwanath
Chaudhary Resident of Village - Katra, P.S.- Katra, District - Muzaffarpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Katra P.S. Case No. 54 of
2020, registered for the offence punishable punishable under
Section 30(a), 38(1) of the Bihar Prohibition and Excise Act,
2016.

441 litres of foreign liquor has been recovered from
the house of petitioner and two co-accused persons were
apprehended on the spot and this petitioner is alleged to have
fled away after seeing the police party.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. The house from where
recovery has been made is in joint possession and petitioner is
co-sharer. Mother and brother of the petitioner who were
apprehended on the spot and have been granted bail by this



Hon'ble Court vide orders dated 15.05.2020 passed in Cr. Misc. No. 19096 of 2020 and dated 22.06.2020 passed in Cr. Misc. No. 20353 of 2020. Petitioner is in custody since 06.10.2020. Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that recovery has been made from the house which is in joint possession, 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 Excise Act, Muzaffarpur in connection with Katra P.S. Case No. 54 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)

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