

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6486 of 2021

Arising Out of PS. Case No.-477 Year-2020 Thana- NARPATGANJ District- Araria

JAI PRAKASH CHAUDHARY son of Nageshwar Chaudhary, r/v, Thariya
Malad, Ward No. 3, P.S. Kishanpur, Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State
through video conferencing.

The petitioner seeks bail in Narpatganj P.S. Case No.
477/2020 registered for the offences punishable under Sections
41/47/30(a)/38(1) of the Bihar Prohibition and Excise Act.

As per the prosecution case, during vehicle checking,
2556 litres of liquor has been recovered from a truck and two
persons namely, Deep Narayan Hazra and Sandeep Singh were
arrested on the spot who disclosed that owner is sitting in the
Maruti Car parked at a nearby *Dabha*. Subsequently, the police
rushed to the said Dhabha and arrested the three persons
including this petitioner.



It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. Petitioner is neither the driver nor the owner of the vehicle in question and has been made accused in this case on the basis of the confessional statement of the co-accused who was arrested on the spot. Petitioner is in custody since 19.10.2020.

Considering the fact that no recovery has been made from the possession of the petitioner, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Araria, in connection with Narpatganj P.S. Case No. 477/2020, subject to following 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(Prabhat Kumar Singh, J)

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