

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6566 of 2021

Arising Out of PS. Case No.-107 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

Gama Choudhary Son Of Late Prasadi Choudhary R/o village- Ishakchak,
Pasi Tola, P.S.- Ishakchak, District- Bhagalpaur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioner seeks bail in Ishakchak P.S. Case No. 107 of 2020, registered for the offence under Sections 30(a)/38(d) of Bihar Prohibition and Excise Act.

177.820 liters of foreign liquor has been recovered from the house of co-accused Manoj Kumar Choudhary and petitioner alongwith co-accused Manoj Kumar Choudhary was arrested on the spot.

It is submitted on behalf of petitioner that nothing has been recovered from the possession of the petitioner and recovery has been made from the house of co-accused Manoj Chaudhary. Petitioner has got no concern with the alleged recovery. Petitioner claims clean antecedent and he is in custody since 07.09.2020.



Considering the fact that no recovery has been made from the possession of the coupled with the fact that petitioner has got clean antecedent, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge cum Special Judge, Excise, Bhagalpur in connection with Ishakchak P.S. Case No. 107 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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