

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5749 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- NASRIGANJ District- Rohtas

BHOLA CHOUDHARY Son of Late Vakil Choudhary Resident of Village-
Jamalpur, P.S.- Nasriganj, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey, Adv.
For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Excise & Prohibition (Amendment) Act, 2018.

Allegation is recovery of 8.28 litres foreign liquor from the house of the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It has further been submitted that no recovery of liquor has been made from conscious possession of the petitioner or from his house and as a matter of fact, police arrested the petitioner merely on the ground that he is an accused in similar nature of offence. Petitioner carries one criminal antecedent bearing Tilauthu P.S. Case No. 449 of 2017 in which he has been



granted bail. Petitioner is in custody since 24.08.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Nasriganj P.S. Case No. 140 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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