

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8262 of 2021

Arising Out of PS. Case No.-122 Year-2017 Thana- KATRA District- Muzaffarpur

SHUDHANSHU KUMAR BHASKAR @ SHDHANSHU CHAUDHARY@
BHIM SON OF MAHESH CHAUDHARY RESIDENT OF VILL.-
DHANAUR, KUMHRAR, P.S.- KATRA, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar Rai
For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-05-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Katra P.S. Case No. 122 of
2017, registered for the offence punishable punishable under
Section 30(a)/36/34 of the Bihar Prohibition and Excise Act,
2016.

As per the prosecution case, on secret information
raid was conducted and 549.795 litres of foreign liquor has been
recovered from a government pond.

It is submitted that nothing has been recovered from



conscious possession of this petitioner. Petitioner has no concern with the seized liquor. The provision of section 100 Cr.P.C has not been followed. Chargesheet has already been submitted. Moreover, five co-accused persons have already been granted bail by this Hon'ble Court. Petitioner is in custody since 16.10.2020.

Considering the facts and circumstances of the case, 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, Muzaffarpur in connection with Katra P.S. Case No. 122 of 2017, 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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