

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10293 of 2022**

Arising Out of PS. Case No.-223 Year-2020 Thana- SIRDALA District- Nawada

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Sujeet Choudhary @ Sujit Kumar Son of Sidhu Chaudhary @ Sita Chaudhary
Resident of Village- Bairiyatand (Banriya Tar), P.S.- Sirdala, District-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Sirdalla
(Sirdala) P.S. Case No. 223 of 2020 registered for the offence
under Sections 30(d) and 41 of the Bihar Prohibition and Excise
Act, 2016.

The accused/petitioner is named in the F.I.R. and is in



custody since 16.09.2021.

The allegation against the petitioner is of manufacturing of illicit country made liquor by using raw material of Jawa Mahua. There is total recovery of 300 liters Jawa Mahua mixture.

Learned counsel appearing on behalf of the petitioner submitted that there is nothing on record which may connect the petitioner with allegation as regard to the manufacturing of the country made liquor. It has further been submitted that even the seizure list suggest only to have oven made up of soil. It has also been submitted that seizure list is not supported by independent witnesses. While concluding the argument, it has further been submitted that petitioner is involved in six different cases of excise but in three cases out of six, he is on bail.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly submitted that some regulatory conditions be imposed considering the criminal antecedents of the petitioner.

Considering the facts and circumstances as mentioned above, as there is nothing on record which may suggest any bearing of petition with seizure list, let the petitioner, above named, is directed to be released on bail in connection with



Sirdalla (Sirdala) P.S. Case No. 223 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Nawada, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like father of the petitioner, namely, Sita Chaudhary @ Sidhu Chaudhary, who



imputed the affidavit as deponent in the
present bail petition in favour of the
accused/petitioner.

(Chandra Shekhar Jha, J)

Ankit/-

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