

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14916 of 2022

Arising Out of PS. Case No.-25 Year-2021 Thana- SIKANDRA District- Jamui

Sunil Chaudhary, Son of Bisheshwar Chaudhary, Resident of Village-Baladih, P.S.- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sikandra P.S. Case No. 25 of 2021 registered for the alleged offences under Section 30(a)(c) of the Bihar Prohibition and Excise Act.

Allegedly the house of the petitioner was raided on the basis of secret information that the petitioner is involved in manufacturing of illegal liquor and on search, some manufacturing equipment and 10 litres of raw liquor was seized. Further from two motorcycles, parked in the house, 7 litres of

country made Mahua liquor was seized.

The learned counsel for the petitioner submits that nothing has been recovered from the person/ possession of the petitioner and the motorcycles are not owned by this petitioner. Charge sheet has been submitted and the petitioner is in custody since 28.12.2021. Regarding the criminal antecedent of the petitioner, learned counsel submits that he has been made an accused in Case No. 80c2/2018 under Section 30(a)(c) of the Bihar Prohibition and Excise Act, in which, he is on bail and also in Sikandra P.S. Case No. 280 of 2021 under Section 30(a)(c) of the Bihar Prohibition and Excise Act.

Learned APP opposes the prayer for bail on the ground that recovery has been made from the house of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that charge-sheet has been submitted and the petitioner is in custody for more than six months, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II, Jamui, in connection with Sikandra P.S. Case No. 25 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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