

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27578 of 2021**

Arising Out of PS. Case No.-319 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

CHONAHAR RAI @ INDRAJEET KUMAR Son of Baidhnath Rai Resident
of Village - Pranti, P.S.- Bochahan, District - Muzaffapur, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, App.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

8 01-02-2022 Heard the parties through video conferencing.

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

The petitioner, who is in custody since 23.01.2021,
seeks regular bail in connection with Bochahan P.S. Case No.
319 of 2019 for the offence punishable under Sections 272/
273/120B of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether
232.560 litres of illicit liquor was recovered from a mango
orchard. Accordingly, seizure-list was prepared.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that the said mango



orchard belongs to some other person and the petitioner is nowhere connected with the alleged recovery of illicit liquor or the place of recovery. The petitioner was forced to put his signature on the seizure list while he was in police custody. He further submits that the petitioner is in custody since 23.01.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that the petitioner was involved in preparation of illicit liquor as well as huge quantity of liquor has been recovered from the orchard, as such, the petitioner does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case and period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Bochahan P.S. Case No. 319 of 2019, subject to the 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 offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) **The petitioner is required to make his attendance before the concerned police station where he resides every week at 8 AM on Tuesday till conclusion of the trial and the concerned SHO of the police station shall submit his monthly attendance report to the Senior Superintendent of Police, Muzaffarpur.**

(Purnendu Singh, J)

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