

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27037 of 2022

Arising Out of PS. Case No.-360 Year-2020 Thana- NAUTAN District- West Champaran

Pappu Chaudhary Son Of Sri Maharaj Chaudhary R/O Village- Baira,
Parsauni, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr .Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-08-2022 Heard Ms. Rashmi Jha, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

Petitioner seeks bail who is in custody in connection
with Nautan P.S. Case No. 360 of 2020 registered for the
offence punishable under section 30-(a) of the Bihar Prohibition
and Excise Act, 2016.

As per the prosecution case, it is alleged that while the
police party was on patrolling duty on secret information
apprehended one Tata Indigo and on search total 199 liters
Indian made foreign liquor was recovered. The local people
disclosed the name of the petitioner as liner of the seized
vehicle, who was riding on a motor cycle.

Learned counsel appearing on behalf of the petitioner
submits that in fact nothing has been recovered from person or



possession of the petitioner and his name has been implicated only on account of disclosure made by local people. It is next submitted the petitioner has neither any concern with the alleged vehicle nor the recovered illicit liquor. It is next submitted that this petitioner is in custody since 25.03.2022 having fair antecedent.

On the other hand, learned counsel for the state opposed the bail application of the petitioner.

Having regard to the submissions made on behalf on the parties and considering the fact that the petitioner was neither arrested at the spot nor any incriminating material has been recovered and save and except the disclosure made by the local people there is no other material which suggest the complicity of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise , West Champaran in connection with Nautan P.S.Case No. 360 of 2020 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of



the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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