

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28403 of 2022

Arising Out of PS. Case No.-84 Year-2020 Thana- RAJAOLI District- Nawada

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Sujeet Chaudhary @ Sujeet Kumar Son Of Sito Chaudhary R/O Village-
Bairiyatand, P.S.- Sirdala, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with Rajauli
P.S. Case No. 84 of 2020 under sections 30(a)/(b), 41 of Bihar
Prohibition and Excise Act.

The prosecution story, in brief, is that on information,
the informant reached at the place of occurrence and saw 5-6
persons escaping taking advantage of forest and mountain.
Upon search, 25 liters of country made mahua liquor with some
liquor manufacturing utensils from the 'Bhatti' was
recovered/seized.

Learned counsel for the petitioner submits that



nothing has been recovered/seized from the possession of the petitioner, although, the police amongst other the petitioner, from his 'Bhatties', two utensils have been recovered/seized.

Learned counsel for the petitioner further submits that the 'Choukidar' out of enmity has named him and even then failed to attribute anything incriminating against him despite the said fact, he is in custody since 24.3.2022 (as stated in para-10 of the bail application).

Considering the aforesaid fact that nothing has been recovered/seized from the conscious possession, he is in custody since 24.3.2022 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No. 11, Nawada, in connection with Rajauli P.S. Case No. 84 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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