

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36569 of 2022

Arising Out of PS. Case No.-253 Year-2018 Thana- JANDAHA District- Vaishali

Sahendra Choudhary @ Sahindra Choudhary Son Of Ram Prasad Choudhary
@ Rampravesh Choudhary Resident Of Village-Nauwachak, P.S.-Sarairanjan,
District-Samastipur (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Jandaha P.S.Case No. 253 of 2018 for the
offences punishable under Sections 30(a) of the Bihar
Prohibition & Excise Act.

It is alleged that 1079.76 liters illicit Indian made
foreign liquor was recovered from pick-up-van of the
petitioner.

Learned counsel for the petitioner submits that



petitioner being owner of the pick-up-van, his name has been implicated in this case. Though the said pick-up-van was handed over to the driver for commercial use and the petitioner was having no knowledge as to what was being carried by the driver. He next submits that the driver of the pick-up-van has already been granted bail by the learned co-ordinate Bench of this Court in Cr. Misc. No.37040 of 2021. He lastly submits that only because of one past criminal antecedent, his name has been implicated in this case and moreover, he is in custody since 24.04.2022 and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that he has found involved in one similar nature of case.

Having heard the rival contentions of the parties and taking into consideration the fact that the petitioner happens to be owner of the pick-up-van which was used for commercial purposes by the driver, who has already been granted bail by the learned co-ordinate Bench of this Court and he is in custody since 24.04.2022, let the petitioner, above named, 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 Sessions Judge cum Special Judge, Excise-I Vaishali at Hajipur in connection with Jandaha P.S.Case No. 253 of 2018 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.

(v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail



bonds in terms of the above- mentioned order shall not be
delayed for purpose of or in the name of verification.

(Harish Kumar, J)

N.K/-

U			
---	--	--	--

