

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41988 of 2022**

Arising Out of PS. Case No.-727 Year-2021 Thana- SARAIYA District- Muzaffarpur

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BISHUN CHAUDHARY @ BISHUN KUMAR CHAUDHARY Son of
Laxmi Chaudhary Resident of Village - Aropur, P.s.- Saraiya, Distt.-
Muzaffarpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das, Advocate
For the Opposite Party/s : Ms.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Saraiya P.S.
Case No. 727 of 2021 registered for the offence under Sections 272,
273, 284, 328, 307, 302, 120(B) and 34 of the Indian Penal Code and
Sections 30(a), 30(c) and 37(b) of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 10.03.2022.

The allegation against the petitioner is to involve in
manufacturing/serving of illicit liquor, consumption of which caused
death of five persons.

Learned counsel appearing on behalf of the petitioner
submitted that nothing surfaced during the course of investigation,
which may connect the petitioner with alleged illegal manufacturing



of illicit liquor, its recovery and service thereof, in alleged party. The nature of allegation is very much general and omnibus. It has been submitted that petitioner is a man of clean antecedent and moreover, investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nature of allegation is very much general and omnibus, as regard to manufacturing and serving of alleged illicit liquor coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Saraiya P.S. Case No. 727 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No-II, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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