

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.42936 of 2022**

Arising Out of PS. Case No.-373 Year-2020 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

Sanjeet Chaudhary Son Of Visho Chaudhary R/O Village- Sahebpur Kamal,  
P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate  
For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

2      14-11-2022              Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a)/32 of Bihar Prohibition and Excise Act, 2018.

Recovery is of 666 liters of foreign liquor.

Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been



transpired on the basis of the alleged recovery of motorcycle which was recovery near the place of occurrence, Further submits that it appears from the FIR that nothing has been recovered from conscious possession or the motorcycle of the petitioner. Further submits that the recovery has been made under water of Chimni belonging to co-accused, namely, Janardan Singh. Further submits that the petitioner has no concern at all with the alleged recovery.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Muffasil (Lakho) P.S. Case No. 373 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner have concealed his criminal antecedents, the court below shall take step for cancellation 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.

**(Rajesh Kumar Verma, J)**

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