

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47143 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- HARLAKHI District- Madhubani

Binod Chaudhary, Son of Jay Narayan Chaudhary, Resident of Village -
Khangown Bathane, P.s.- Pandaul, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Ravi Prakash, Advocate
For the Opposite Party/s	:	Mr. A.G

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Harlakhhi P.S. Case No. 153 of 2022, G.R. No.
825 of 2022 registered for the alleged offences under Sections
272, 273 and 34 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, recovery of 140 litres of
Nepali liquor and 26.99 litres of India made foreign liquor was
made from a motorcycle which was being carried by three
persons riding the motorcycle near the India Nepal border. The



petitioner was apprehended from the spot whereas two other co-accused escaped.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession and he has no concern with the allegedly recovered illicit liquor. Petitioner is not the owner of the motorcycle which was seized from the place of occurrence. The petitioner is in custody since 31.05.2022 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to 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-II-cum-Special Judge Excise Act, Madhubani in connection with Harlakhi P.S. Case No. 153 of 2022, G.R. No. 825 of 2022 subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

