

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62587 of 2021

Arising Out of PS. Case No.-155 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

SUNIL KUMAR @ SUNIL CHAUDHARY @ JIUT CHOUDHARY Son of
Ramchandr Chaudhary @ Ramchandra Chaudhari Resident of Village - Sita
Bigha, P.s.- Sasaram Mufassil, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's
counsel would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Sasaram
Mufassil P.S. Case No. 155 of 2021 registered under Section
30(a) of Bihar Prohibition and Excise Act, 2018.

On receiving secret information regarding some
illicit liquor being prepared, the police had arrived at the place
being *Khalihan* of Sudama Mahto. 4-5 persons managed to flee
away. There is recovery of 160 litres spirit and 144.360 litres



super spirit consumable whisky, some bottles, wrappers, etc.

Learned counsel for the petitioner submits that based on secret information, petitioner's name has been dragged in the instant case. The petitioner has been implicated in this case because of his antecedents and continues to be in custody since 12.07.2021. Even as per allegation, he has not been arrested from the place and at the time of recovery.

Learned APP has opposed the prayer for bail.

Considering the period of custody, the fact that he has not been arrested from the place from where recovery has been made, as also the petitioner's counsel submission of false implication based on antecedents, this Court is inclined to allow the prayer for bail.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd Cum Special Judge Excise, Rohtas at Sasaram in Sasaram Mufassil P.S. Case No. 155 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SUMIT/-

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

