

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57422 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- JAKKANPUR District- Patna

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Kunal Chaudhari S/o Late Jitan Chaudhari, Resident of village- Purani
Jakkanpur Ramlakhan Mahto Flat, Devi Mandir, P.S.- Jakkanpur, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Special Case No.2234 of 2022 arising out of Jakkanpur P.S.
Case No. 210 of 2022 lodged under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, the total recovery of 5 liter
country made liquor has been made from red colour bag at the
hand of petitioner, which is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that petitioner is in custody since 28.04.2022 and charge sheet has already been filed in this case. He also submits that there are two criminal cases pending against the petitioner, in which he is on bail in both the cases.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.2234 of 2022 arising out of Jakkanpur P.S. Case No. 210 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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