

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65705 of 2021

Arising Out of PS. Case No.-547 Year-2021 Thana- SHERGHATI District- Gaya

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HEMANT CHAUDHARY @ HEMANT KUMAR, Son of Suresh Chaudhry
@ Suresh Chaudhary, Resident of Village - Kesapi, P.S.- Sherghati (Dobhi
O.P.), District - Gaya, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-05-2022 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Sherghati (Dobhi O.P) P.S. Case No. 547
of 2021 (G.R. No. 1412/2021) registered for the offences
punishable under Section 414 of the Indian Penal Code. He has
got no criminal antecedent. The petitioner is in custody since
15.09.2021.

Learned counsel for the petitioner submits that while
the informant was on night patrolling duty got secret



information regarding involvement of the petitioner in preparation of illicit liquor. The informant raided the house of the petitioner at 5:20 A.M. and on search of the house he did not find any liquor but found a motorcycle bearing registration no. JH 02V-8021 of which no paper was produced by the lady present in the house. The informant brought the said motorcycle to Police Station and the petitioner was asked to produce the document but he did not do so.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in this case. He is in custody since 15.09.2021 and investigation against him is complete. It is further submitted that seizure list has not been prepared on the spot and no copy thereof was supplied to the family members of the petitioner.

Mr.Akhileshwar Dayal, learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is in custody in connection with this case since 15.09.2021 on the allegation that in course of raid of the house one Splendour motorcycle was recovered from the house of the petitioner and there was no document of the said motorcycle, the petitioner has otherwise no criminal antecedent and his presence may be



secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Sherghati, Gaya in connection with Sherghati P.S. Case No. 547 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C.

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 has concealed his criminal antecedent, the court below shall take steps 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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

