

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68539 of 2021**

Arising Out of PS. Case No.-362 Year-2021 Thana- RIVILGANJ District- Saran

Sri Bhagwan Choudhary Son of Late Basropan Choudhary Resident of
Village- Ajayabganj Mallah Toli, P.S.- Bhagwan Bazar, District- Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 24-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Revilganj
P.S. Case No. 362 of 2021 registered for the offence under
Section 30(a) and 37(c) of Bihar Prohibition and Excise Act,
2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 03.10.2021.

The allegation against the petitioner is to have found
in heavy drunken condition from the manufacturing cite of illicit
liquor running by co-accused persons.



Learned counsel appearing on behalf of the petitioner submitted that the allegation against the petitioner is only limited to drink illicit liquor and it is very much clear that the co-accused persons were involved in manufacturing of illicit liquor. While concluding the argument, it has further been submitted that the petitioner is a man of clean antecedent and chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the manufacturing cite is being run by other co-accused persons.

Considering the facts and circumstances as mentioned above, as the petitioner, who is a man of clean antecedent, has no connection with the manufacturing of the illicit liquor coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Revilganj P.S. Case No. 362 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Sakuntla Devi, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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