

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69938 of 2021**

Arising Out of PS. Case No.-111 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

SANTOSH CHAUDHARY Son of Kantlal Chaudhary Resident of Village -
Megaiyya, P.S.- Siwaipatti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Adv

For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 09-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Siwaipatti P.S.Case No.111 of 2021, registered for the offence under Sections 272, 273 and 34 of IPC and Sections 30(a)(c) and 36 of the Bihar Prohibition and Excise Act.

Recovery is of 15 liters of country made liquor.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR that altogether 15 liters of country made



liquor has been recovered from the house of the petitioner. He further submits that the petitioner has falsely been implicated in the present case only on the basis of standing of the police. and the petitioner is in custody since 17.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Siwaipatti P.S.Case No.111 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 step 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.

(Rajesh Kumar Verma, J)

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