

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.70113 of 2021**

Arising Out of PS. Case No.-57 Year-2021 Thana- MALAYPUR District- Jamui

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PRAVIN KUMAR CHOUDHARY @ PRAVIN KUMAR S/O KANGRESH  
CHOUDHARY R/o village- Chorgatta, P.S.- Navdiha (Jamua), District-  
Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shivam, Adv

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

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

2      11-03-2022              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 in virtual Court proceeding.

The petitioner seeks bail in connection with Malaypur P.S.Case No.57 of 2021, registered for the offence under Sections 272,273,34 of IPC and Sections 30(a),36,41(1) of the Bihar Prohibition and Excise Act, 2018.

Recovery is of 2160 liters of Indian made foreign liquor.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present



case. He further submits that it appears from the FIR that the present FIR has been instituted on 09.04.2021 and the petitioner was in custody in Lakhisarai (Kabaiya) P.S.Case No.188 of 2021 from 25.03.2021 to 26.10.2021. He further submits that it appears from the FIR that the petitioner has falsely been implicated in the present case and the petitioner is remanded in this case on 30.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts 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 Additional District and Sessions Judge-II-cum-Special Judge, Excise, Jamui in connection with Malaypur P.S.Case No.57 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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