

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.625 of 2022

Arising Out of PS. Case No.-299 Year-2021 Thana- KATRA District- Muzaffarpur

1. Chunnu Chaudhary Son of Bikau Chaudhary Resident of Village-Baraitha, P.S.-Katra, District-Muzaffarpur.
2. Bhutun Kumar Son of Bikau Chaudhary Resident of Village-Baraitha, P.S.-Katra, District-Muzaffarpur.
3. Govind Kamti Son of Gopal Kamti Resident of Village-Mohanpur, P.S.-Katra, District-Muzaffarpur.
4. Ram Narayan Thakur Son of Late Laxman Takur Resident of Village-Busghatta, P.S.-Katra, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-06-2022 Learned counsel for the petitioners undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners in the present case are seeking regular bail in connection with Katra P.S. Case No.299 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. They are in custody since 17.11.2021 The petitioners have got no criminal



antecedent.

Learned counsel for the petitioners submits that as per the prosecution story on 16.11.2021 the SHO of Katra police station on secret informant conducted a raid at Busghatta bridge and apprehended four persons who are petitioners in this case and on search from a hut police recovered 60 liters of fermented toddy and 10 liters of country made liquor.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that the nothing incriminating was recovered from the possession of the petitioners and they have no concern with the alleged place from where the recovery has been made. It is submitted that the petitioners are in custody in connection with this case since 17.11.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the submission that the place from which the recovery of illicit liquor has been made does not belong to these petitioners, they are in custody in connection with this case since 17.11.2021, they have no criminal antecedent, investigation against them is complete and their



presence may also be secured in course of trial, this Court directs release of the petitioners above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case No.299 of 2021, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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'.

