

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6721 of 2023

Arising Out of PS. Case No.-66 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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Sanjay Chaudhary Son of Govind Chaudhary Resident of Village- Murgiya
Chak, In front of Temple, P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Choudhary, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a) and (c) of the Bihar
Prohibition & Excise Amendment Act, 2018.

Recovery is of 18 liters of illicit country made liquor
and 400 kg of Jawa Mahua.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He
further submits that it appears from the F.I.R. as well as seizure



list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made near the house of the petitioner. He further submits that the petitioner has no concern at all with the alleged recovery of the illicit liquor. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.11.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one but he is on bail on all the said cases.

Considering the aforesaid facts and circumstances, nothing has been recovered from the conscious possession of the petitioner, 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 the learned Court below where the case is pending in connection with Case No. 66C2 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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