

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22654 of 2024

Arising Out of PS. Case No.-745 Year-2021 Thana- NAWADA District- Nawada

Kartik Kumar @ Kartik Chaudhary S/o Shiv Chaudhary Resident of Village-
Amipur, P.S. Mufassil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is the second attempt of the petitioner. Earlier the bail application of the petitioner was rejected by this Court vide Cr. Misc. No. 7603 of 2023 on 05.05.2023.

3. The petitioner seeks bail in connection with the present case registered for the offence punishable under Sections 33, 34, 36 of the Bihar Prohibition and Excise Act, 2016.

4. The following order was passed on 05.05.2023:-

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

*Heard learned counsel for the
petitioner and the State.*

The petitioner prays for grant of



bail in Nawada (Town) P.S. Case No. 745 of 2021 registered for the offence punishable under Sections 33/34/36 of the Bihar Prohibition and Excise Act.

Two persons have died because of consuming spurious liquor and the names of the petitioners have come during the investigation.

In the opinion of this Court, this is not a fit case for grant of bail. It is, accordingly, dismissed. ”

5. Due to inadvertence in the order dated 05.05.2023, it was observed that two persons have died though only one person has died after consuming spurious liquor. The petitioner is in jail since 26.08.2022 in connection with the present case, and he is also accused in 18 more cases.

6. In these circumstances, considering the period of custody, this application is allowed.

7. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1st, Nawada/concerned court below in connection with Nawada (Nagar) P.S. Case No. 745 of 2021.

8. The petitioner after grant of bail will not stay in the Bihar. He will stay at the following address-

“C/o Pappu Yadav,



29/11, C.P.T. Quarter Hide Road, B.N.R.,
South Eastern Railway
P.O.-South Eastern Railway
District- Kolkata
West Bengal-700043.”

9. The petitioner will also mark attendance in South Port Police Station, Kolkata, Pin-700043 on the first Sunday of each month. Any default in appearance at the Police Station would be result in cancellation of bail bonds of the petitioner.

10. The petitioner will visit Bihar only on the date fixed in the present case as well as in other cases in which he is an accused and is required to visit the Court. Before leaving West-Bengal, the petitioner will inform the local police station about the case and the date and the period for which he is going to stay in Bihar to attend the cases.

11. This application stands allowed.

(Sandeep Kumar, J)

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