

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34225 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- BAIRIYA District- West Champaran

Sanoj Kumar @ Sanoj Chaudhary @ Sanoj Choudhry, Son Of Surender Choudhry @ Surender Chaudhary R/O Village Bagahi Ratanpur, P.S.- Bairiya, Dist- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-05-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the allegation is of recovery of 7.74 litres of liquor from a bamboo orchard and 19.8 litres of liquor from a motorcycle.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even alleged



recovery is from a place, which does not belong to the petitioner and is not the owner of the seized vehicle and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term. It is further submitted that if Chaukidar was aware of the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1, Bettiah, West Champaran in connection with Bairiya P. S. Case No.89 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the



criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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