

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.489 of 2022

Arising Out of PS. Case No.-230 Year-2020 Thana- BATHNAHA District- Sitamarhi

ANIL CHAUDHARY S/o Late Nagendra Chaudhary R/o village- Bhuthi,
P.S.- Sonbarsa, District- Sitamarhi. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma
For the Opposite Party/s : Mr.Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-05-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with
Bathnaha P.S. Case No. 230 of 2020 registered for offence
punishable under section 30 (a) of the Bihar Prohibition and
Excise Act.

As per allegation, 1234.800 litres of liquor was
recovered from a truck, to which the petitioner is owner.

The learned counsel for the petitioner has submitted
that the petitioner is merely owner of the truck, he was not arrested
at the spot, he is a person of clean antecedent and is under custody
since 19.10.2021.

Considering the clean antecedent as well as period of
incarceration, let the petitioner above-named be released on bail



on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise),Sitamarhi in connection with Bathnaha P.S. Case No.230 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence.

If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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