

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29773 of 2015

Arising Out of PS.Case No. -337 Year- 2012 Thana -GAYA MUFFSIL District- GAYA

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Ram Swarup Chaudhary @ Swarup Chaudhary, S/o Ganaury Chaudhary,
resident of village - Bhusanda, P.S. Muffassil, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 13-08-2015 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is in custody since 11.05.2015 in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code, Section 47A of the Excise Act and Section 2 E, 3B, 15/18 of Mahua Phool Act, 2006.

The allegation is that the petitioner along with Ganesh Chaudhary was found involved in manufacturing illicit Mahua liquor in the house of co-accused Suli Manjhi and on search 55 liters of Mahua wine and 60 Kg. of Mahua flower as well as apparatus for manufacturing wine were recovered and seized from the house of accused Suli Manjhi. All the accused persons including the petitioner managed to escape.

It is submitted that nothing has been recovered from the possession of the petitioner. However, after investigation, charge sheet

has already been submitted and there is no chance of tampering with the witnesses.

The learned counsel for the State submits that the petitioner is habitual offender and he is also involved in similar offence.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya/court concerned **after framing of charge** in Gaya Muffasil P.S. Case No.337 of 2012 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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