

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12582 of 2015

Arising Out of PS.Case No. -34 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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Guddu Chaudhary, S/o Tun Tun Chaudhary, resident of village - Bhadeji,
P.S. - Muffasil, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 47(a) of the Bihar Excise Act, 1915.

Though the petitioner is named in the prosecution report vide Annexure-1 and there is allegation of recovery of huge quantity of intoxicant and the country liquor near the house of the petitioner, but taking into consideration the fact that the alleged seizure was made on 24.08.2014, yet prosecution report was submitted almost after two months on 17.10.2014 and further taking into consideration the fact that he is in judicial custody since 29.11.2014, his prayer for bail is allowed.

The petitioner above named is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Excise Case No.34 of 2014, subject to the conditions that:

(a) One of the bailors shall be government servant

- (b) other bailor shall be either close family member or close relation of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (C) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;
- (D) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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