

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33475 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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1. Guddu Chaudhary, S/o Tun Tun Chaudhary, Resident of Village-Bhadeji,
P.S.-Moffasil, District-Gaya

.... Petitioner/s

Versus

1. 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. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2017 33475

Heard the parties.

This application is for grant of regular bail in connection with Moffasil P.S.Case No.58 of 2017, registered for the offences punishable under Sections 30(a) of Excise Act and Section 25(1-b) of the Indian Penal Code.

Allegation against the petitioner is of recovery of 25 ltrs. of liquor and one pistol. It further appears that the petitioner is accused in two other cases of similar nature but both the cases are of the year, 2012.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case and nothing has been recovered from the possession of the petitioner and



furthermore, he is in custody for about 5 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya in connection with Moffasil P.S.case No.58 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.
- (iv) If his active participation is found in such type of cases in future, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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