

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7158 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -KASHICHAK District- NAWADA

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1. Birendra Chaudhary, Son of Late Kishun Chaudhary, resident of village -
Bauri, P.S. Kashichak, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-04-2017 The petitioner is in custody since 24.01.2017 in
connection with Kashichak P.S. Case No. 90 of 2016, registered
for offences punishable under Sections 30/34(b)(i) of Bihar
Prohibition and Excise Act, 2016.

Allegation against the petitioner that he manufactures and
sells wine from his house.

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case due to village
enmity rather it is the son of the petitioner who used to sell the
wine illegally, for which he is accused in a case i.e Kashichak P.S.
Case No. 91/17. Petitioner is an old person aged about 65 years
and has been in judicial custody since 24.01.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the aforementioned
facts and circumstances, nature of allegation, the period of
custody, and also that the petitioner has no criminal antecedent,



let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Nawadah, in connection with Kashichak P.S. Case No. 90 of 2016, 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 cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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