IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26401 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -JAYNAGAR District- MADHUBANI

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Vijay Chaudhary S/o Late Sitaram Chaudhary, Resident of Village- Kamala Badi Goth, P.S.- Jay Nagar, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Ratanakar Jha
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 15.02.2017 in connection with Jay Nagar P.S. Case No. 38 of 2017 for the offences alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged recovery of 146 litres of *Nepali* wine. Recovery of the offending goods from the possession of the petitioner is denied. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 15.02.2017 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Madhubani in connection with Jay Nagar P.S. Case No. 38 of 2017 with the following conditions:

(i) That one of the bailors shall be a close relative of the

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petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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