

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28009 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- GAUTAMBUDHNAGAR District- Siwan

Ramdeo Chaudhary, S/o Ram Prasad Chaudhary, R/o Vill.- Dindayalpur, P.S.-
G.B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Smt. Veena Rani Prasadd.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with G.B. Nagar
P.S. Case No. 73 of 2018 for offences punishable under Sections
272, 273, 308 of the Indian Penal Code and Sections 30, 34, 36,
38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on information that various villagers are
indulged in manufacturing of mahua wine, the police conducted
a raid and found mahua wine being manufactured in three
places. The thatched hut of the petitioner was also searched, two
litres of mahua wine and various utensils used for preparation of
mahua wine was recovered. Accordingly, a seizure-list was
prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that Section 100 (6) of the Cr.P.C. has not been complied with and the petitioner is languishing in judicial custody since 21.03.2018.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in one more case of similar nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Siwan, in connection with G.B. Nagar P.S. Case No. 73 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to



move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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