

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15863 of 2019

Arising Out of PS. Case No.-32 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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UMESH CHAUDHARY S/o Late Ashok Chaudhary @ Bachan Chaudhary
Resident of Rajapul, Indira Nagar, Ward No.-23, P.S.- Patliputra, District-
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyank Deepak
For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
28.12.2018 in connection with Patliputra P.R. Case No. 32 of
2018 for offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the excise
officials, is that on secret information a raid was conducted and
he petitioner was apprehended with 57 litres of toddy.
Accordingly, a seizure memo was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. Petitioner



undertakes to cooperate in the investigation/ trial and not to tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, 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 Special Judge (Excise), Patna, in connection with Patliputra P.R. Case No. 32 of 2018, subject to the following conditions :

1. 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.
2. 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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