

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71078 of 2019**

Arising Out of PS. Case No.-341 Year-2019 Thana- GOVERNMENT
OFFICIAL COMP. District- Gopalganj

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SHIV KUMAR CHAUDHARY Son of Late Sanhu Chaudhary Resident of
Village-Lachhpur Tola, Takiya Bari, Police Station-Gopalpur, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate.

For the Opposite Party/s: Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.09.2019 in
connection with Excise Case No. 341 of 2019 for the offences
alleged under Sections 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. It is submitted that the petitioner has been falsely
implicated in connection with recovery of 36.880 litres of illicit
liquor. It is submitted that no recovery has been made from the
possession of the petitioner who has no concern with the seized
goods. The petitioner is accused in one prior case in Gopalpur
P.S. Case No. 26 of 2016.

4. Be that as it may, having regard to the period of
custody already suffered more than two months, 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 Jnd Additional



Sessions Judge-cum-Special Judge, Excise, Gopalganj, in connection with Excise Case No. 341 of 2019, on the following conditions-

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

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

(iii) That 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)

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