

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79661 of 2019**

Arising Out of PS. Case No.-99 Year-2019 Thana- TANKUPPA District-
Gaya

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VIJAYA CHOUDHARY Son of Late Timal Choudhary Resident of Village -
Tankuppa, P.S. - Tankuppa, District -Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vishwa Ranjan Choudhary, Advocate.

For the Opposite Party: Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.09.2019 in connection with Tankuppa P.S. Case No. 99 of 2019 for the offences alleged under Sections 272/273 of the Indian Penal Code and 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 recovery of 30 litres of *mahua* wine. No recovery has been made from the conscious possession of the petitioner as the incriminating goods have been recovered from a bush. The petitioner claims clean antecedents.

4. Be that as it may and having regard to the period of custody already suffered since 20.09.2019, 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 Special Judge, Excise, Gaya, in connection with Tankuppa P.S. Case No. 99 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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