

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82296 of 2019

Arising Out of PS Case No.-141 Year-2019 Thana- AWTARNAGAR District- Saran

Gopal Chaudhary, aged about 50 years, Sex-Male, Son of Ramyad Chaudhary
of Village - Naraw, P.S.- Awtar Nagar, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Narendra Kumar, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 12-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Awtarnagar PS Case No. 141 of 2019 dated 11.08.2019 instituted
under Sections 188, 272, 273, 308/34 of the Indian Penal Code
and 30, 30(a) and 38 of the Bihar Prohibition and Excise Act,
2016.

3. The allegation against the petitioner and four others is
of dealing in illicit liquor.

4. Learned counsel for the petitioner submitted that
from an open field, when the police raided the place, 20 litres of
illicit liquor was recovered and four persons are alleged to have



fled away and one co-accused was caught who has taken the name of the petitioner and three others to be those involved in such business due to which the petitioner has also been made accused. Learned counsel submitted that the petitioner has no criminal antecedent.

5. Learned APP submitted that the person caught has taken the name of the petitioner as an accomplice.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 11th-cum-Special Judge Excise, Saran at Chapra in Awtarnagar P.S. Case No. 141 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of



the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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