

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79656 of 2019**

Arising Out of PS. Case No.-164 Year-2019 Thana- GOVERNMENT
OFFICIAL COMP. District- West Champaran

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PINTU CHAUBEY S/o Shri Bhushan Chaubey @ Chander Bhushan
Chaubey R/o village- Musharwa Ward No. 04, P.S.- Sathi, District- West
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party: Mr. Kanhaiya Kishore, 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 19.09.2019 in
connection with Excise Case No. 164 of 2019 for the offences
alleged under Sections 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 about 185 litres of
illegal wine from the terrace of the house. It is submitted that the
house in question is joint house and the petitioner had no
knowledge about the goods of the terrace.

4. Be that as it may and having regard to the period of
custody already suffered since 19.09.2019, 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, Bettiah, West Champaran in connection with Excise Case No. 164 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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