

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17957 of 2020

Arising Out of PS. Case No.-425 Year-2019 Thana- DUMRAO District- Buxar

Jhuri Chaudhary, aged about 27 years, Male, Son of Late Chhathu Chaudhari
Resident of Mohalla - Milikiya Naya Bhojpur, P.S.- Dumraon, Distt - Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the APP : Mr. Ansar Ul Haque, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

2 13-05-2020 The matter has been listed and heard *vide* video conferencing in view of the lock-down imposed on account of the COVID-19 pandemic.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Dumrao (Naya Bhojpur OP) PS Case No. 425 of 2019 dated 07.12.2019 instituted under Sections 30(a)/30(c)/37(2) of the Bihar Prohibition and Excise Act, 2016.

4. As per the allegation, there is recovery of 900 ml. of liquor from the petitioner’s shop.

5. Learned counsel for the petitioner submitted that



the recovery is not from the conscious possession of the petitioner and that it was brought by some other persons and liability for the same has wrongly been fastened on the petitioner. It was submitted that the petitioner is in custody since 31.12.2019.

6. Mr. Ansarul Haque, learned APP submitted that the petitioner has similar nature of other criminal cases pending against him.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let 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 2nd-cum-Special Judge, Excise, Buxar in Dumrao (Naya Bhojpur OP) PS Case No. 425 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that 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 being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/P. Kumar

