

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22188 of 2020**

Arising Out of PS. Case No.-308 Year-2020 Thana- FATUA District- Patna

BAIJU CHAUDHARY Son of Late Siya Ram Chaudhary @ Late Siya Saran Chaudhary Resident of Village- Govindpur, Naya Tola, P.O. and P.S.- Fatuha, District- Patna, Bihar- 803201

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 21-08-2020 Learned counsel for the petitioner undertakes to remove the defects, as pointed out by office, within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Dr. Indihar Kumari, learned A.P.P. for the State.

The petitioner, in the present case is seeking regular bail in connection with Special Case No. 3277 of 2020 arising out of Fatuha P.S. Case No. 308 of 2020 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the illicit liquor was recovered from Saidpur Garden and so far as this petitioner is concerned he has been arrested in the present case while he was trying to allegedly fleeing away. He is in



custody since 26.04.2020, Investigation against him is complete and further incarceration of the petitioner is not likely to come in aid of investigation or help the prosecution.

Dr. Indihar Kumari, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein the petitioner has no criminal antecedent and he has remained in custody since 26.04.2020, investigation against him is complete and further incarceration of the petitioner is not likely to come in aid of investigation or help the prosecution anyway, let the petitioner above-named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned Special Judge Special Judge, Excise, Patna, in connection with Special Case No. 3277 of 2020 arising out of Fatuha P.S. Case No. 308 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

