

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23224 of 2020**

Arising Out of PS. Case No.-195 Year-2019 Thana- LAURIA District- West Champaran

AJAY CHAUDHARY S/o Brizan Mahato @ Birjhan Chaudhary Resident of
Village- Deurwa, P.S.- Lauriya, Distt- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Zainul Abedin, Advocate

For the Opposite Party/s : Mr. Ram Priya Singh, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 10-09-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor representing the State via

Video conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under section 30a of the Bihar Excise and
Prohibition Act.

As per prosecution's case, there is recovery of 130
liters of country made liquor from the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to suspicion and dirty village politics. The recovery of
foreign liquor has been planted by the Police and the petitioner
is no way concerned with the said recovery. The mandatory
provision of law for search and seizure given under section 100



Cr.P.C. has not been followed. Petitioner has got no criminal antecedent and he is in custody since 22.1.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, West Champaran at Bettiah in Lauriya Police Station Case No. 195 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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