

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83052 of 2019

Arising Out of PS. Case No.-756 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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GUDDU KUMAR CHAURASIA @ GUDDU CHAURASIA Son of Shiv Ji Chaurasia @ Shiv Jee Prasadi Chaurasiya Resident of Mohalla - Sadhu Chowk, Saraiya, Ward No. 2, Police Station - Gopalganj Town, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 18-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular bail in connection with Gopalganj Town P.S. Case No. 756 of 2018 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated. As per F.I.R. as well as seizure list total 172 liters 800 ml foreign liquor has been recovered from the house of the petitioner which does not belong to him as also the name of the petitioner has been figured in this case merely on confessional statement.



Learned APP for the State is present and opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein the petitioner is in custody for more than 3 months, the investigation against him is complete and it is not the submission of the prosecution that release of the petitioner is likely to interfere with the course of trial and there is no chance of tampering with evidence, let the petitioner above-named be released on bail on furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge cum Special Judge, Excise, Gopalganj, in connection with Gopalganj Town P.S. Case No. 756 of 2018, 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

(iii) 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.

(Rajeev Ranjan Prasad, J)

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