

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13723 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- GURUA District- Gaya

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PAPPU KUMAR @ PAPPU CHAUDHARY S/o Sanjay Chaudhary R/o
village- Pandapur, P.S.- Gurua, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Adv

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-08-2021 In view of sudden resurgence of COVID – 19

infection there is limited functioning of the High Court and

therefore the matter has been listed for consideration through

virtual mode.

Heard learned counsel for the petitioner and the

learned APP for the State.

This Court would expect that the petitioner's

Counsel would honour his undertaking in the instant

proceedings regarding supply of requisite court fee etc. within

two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Gurua P.S. Case No. 176 of

2020 registered under Section 404 of the IPC and Section 30(a)

of the Bihar Prohibition and Excise Amendment Act, 2018.

There is alleged recovery of 546 litres of country-



made wine from a Scorpio vehicle. One Jitendra Choudhary was arrested from the vehicle. He has stated the petitioner's name to be the person who fled away.

Learned counsel for the petitioner submits that based on statement of co-accused and his own confessional statement petitioner is in custody since 14.12.2020. He has no criminal antecedent and his implication is false and based on extraneous considerations.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise, Gaya in Gurua P.S. Case No. 176 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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