

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17908 of 2021**

Arising Out of PS. Case No.-269 Year-2020 Thana- AMAS District- Gaya

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AJAY CHAUDHARY S/o Ram Avtar Chaudhary R/o village- Taradih, P.S.-
Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Veer, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

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

2 02-07-2021 Learned counsel for the petitioner undertakes to

remove all 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 learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Amas P.S. Case No. 269 of 2020 registered

for the offences punishable under Section 30(a) of the Bihar

Prohibition & Excise Act, 2016.

As per prosecution story, the informant while on

getting secret information that one person namely Ajay
Chaudhary is selling wine, he along with police force reached

near the house of Ajay Chaudhary, on seeing police party he

tried to flee away with green coloured plastic gallon of five liter,



but he was apprehended by police and disclosed his name as Ajay Chaudhary (petitioner).

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case on mere suspicion, he is in custody since 31.12.2020. Learned counsel submits that the only case against him as stated in paragraph '3' in which he is on bail.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that as per allegation three liters of country made Mahua liquor has been recovered from the petitioner, he is in custody in connection with this case since 31.12.2020, investigation against him is complete but the trial is not likely to be concluded in near future and in the only case against him as stated in paragraph '3' he is said to be on bail, in the circumstances this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II – cum – Special Judge, Excise Act, Gaya, in connection with Amas P.S. Case No. 269 of 2020, subject to the



condition as laid down under Section 437 (3) 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 the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(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'.

