

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17885 of 2021**

Arising Out of PS. Case No.-4 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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ANIRUDH CHAUDHARY Son of Asharfi Chaudhary Resident of Village -
Chhoti Jhiktia, P.S. - Maheshkhunt, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajit Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nut, APp

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

3 05-08-2021 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 Excise Case No.4c3/2014 registered for the

offences punishable under Section 47(a) of the Excise Act.

As per the prosecution story on 26.03.2014 the Excise

Officer with other police personnel raided the house of the

petitioner and on search from the house 25 liters of country

made liquor and 400 kgs of Mahua wine was recovered.

It is the submission of learned counsel for the

petitioner that the petitioner is an accused in a case registered under Section 47(a) of the old Excise Act in which the maximum punishment would be one year. The allegation is that of recovery of 25 liters of country made liquor and 400 kgs of Mahua wine and the petitioner has remained in custody since 16.12.2020.

This Court had called for a report from the learned trial court and it appears on perusal there of that the charge has been framed in this case but the evidence has not begun because of the present Covid-19 pandemic situation.

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

Considering the facts and circumstances of the case and the submissions hereinabove, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Khagaria in connection with Excise Case No.4c3/2014, 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)

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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'.