

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18012 of 2021**

Arising Out of PS. Case No.-279 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

=====

Krishna Chaudhary Son Of Late Amrit Chaudhary Resident Of Village-
Aliganj, Ward No. 14, Chaudhary Tola P.S. Chandradeep, District Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

=====

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

2 14-07-2021 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 Case No. 279C2 of 2020 registered for the

offences punishable under Section 30(a) of the Bihar Prohibition
& Excise Act, 2018.

As per the prosecution story, got secret information the

informant reached at Aliganj Ward No. 14, Choudhary Tola, on

seeing the police party one person tried to flee away but he was

caught by the police and on search a plastic JarKin containing nine

liters of illegal wine has been recovered and the arrested person



disclosed his name as Krishna Chaudhary (the petitioner).

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the alleged nine liters of illicit liquor has been recovered from a joint house and not from the conscious possession of the petitioner, however petitioner is in custody in connection with this case since 14.12.2020.

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 the submission of learned counsel for the petitioner that the alleged nine liters of illicit liquor has been recovered from a joint house and not from the conscious possession of the petitioner and he is in custody in connection with this case since 14.12.2020, investigation against him is complete but the trial is not likely to take place in near future and in the only case stated in paragraph '3' he is said to be on bail, 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 District & Sessions Judge – II, Jamui in connection with Case No. 279C2/2020, 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/-

U		T	
---	--	---	--

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'.

