

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26137 of 2021

Arising Out of PS. Case No.-687 Year-2020 Thana- BARACHATTI District- Gaya

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Vidyanand Chaudhary Son Of Lato Chaudhary Resident of Village- Shobh,
P.S.- Barachati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Shailendra Kumar -1 A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Barachati P.S. Case No. 687 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

20 liters of country-made liquor and 200 kg. of *Jawa Mahua* have been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the house, which is in joint possession of the family. Petitioner claims clean antecedent and he is in custody since 23.01.2021.

Learned A.P.P. for the State has opposed the bail petition.



Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge of Excise Act, Gaya in connection with Barachati P.S. Case No. 687 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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