

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.27812 of 2021**

Arising Out of PS. Case No.-396 Year-2020 Thana- ATRI District- Gaya

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VINOD CHAUHAN Son of Late Mahanth Chauhan Resident of Village -  
Chauthi Beldari, P.S.- Atri, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

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

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

2      08-10-2021                      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 Mr.  
Awadhesh Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in  
connection with Atri P.S. Case No.396 of 2020 registered for the  
offences punishable under Sections 272 and 273 of the Indian  
Penal Code and Section 30(a)(d) of the Bihar Prohibition and  
Excise Act, 2016. He is in custody since 31.01.2021. The  
petitioner has got one criminal antecedent as stated in paragraph  
'3'.

The prosecution case in short is that on 01.11.2020,



the informant got secret information that some persons engaged in manufacturing of illegal liquor at the east side of Pyne Pind of village Chauhi Beldari. It is alleged that on this information, the informant along with other police personnel reached there and on seeing the police party some persons started to flee away. Police chased them but they succeeded to flee away. Local Choukidar identified one of the fled away persons as Vinod Chauhan (petitioner). On search 15 liters of illicit country made wine and 1500 liters Jawa Mahua were recovered from the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 31.01.2021.

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

Having regard to the facts and circumstances of the case wherein this Court has found that the place of recovery is a Pyne situated east to the village and the place is not in conscious possession of the petitioner, the petitioner has got one criminal antecedent, however, in the present case he is in custody since



31.01.2021 and investigation against him is complete, let 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Atri P.S. Case No.396 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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'.

