

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29422 of 2021

Arising Out of PS. Case No.-516 Year-2020 Thana- TEKARI District- Gaya

VINAY CHAUDHARY S/o Basudeo Chaudhary R/o Village- Raniganj, P.S.-
Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-10-2021 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 learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Tekari P.S. Case No.516/2020 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016. He is in custody since 05.02.2021. The
petitioner has got one criminal antecedent of similar nature in
which he is said to be on bail.

Learned counsel for the petitioner submits that as per
the prosecution story 8 liters of illicit liquor was recovered from
the house of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the joint house property. It is submitted that the petitioner is in custody in connection with this case since 05.02.2021.

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 as per the allegation there is recovery of 8 liters of illicit liquor from the house of the petitioner, the petitioner has got one criminal antecedent in which he is said to be on bail, in the present case petitioner is in custody since 05.02.2021, investigation against him is complete but the trial is not likely to take place in near future, 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 A.S.J.-II-cum-Special Judge, Excise, Gaya in connection with Tekari P.S. Case No.516/2020, 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'.

