

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30850 of 2021**

Arising Out of PS. Case No.-61 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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SANJAY CHAUDHARY, Son of Late Lakhan Chaudhary, Resident of Village
- Chhoti Balia, P.S.- Balia, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr.Jagdhari Prasad, A.P.P.

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

2 28-10-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Jagdhari Prasad, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Excise Case No. 61C2 of 2021
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018. He is in custody since
18.02.2021. The petitioner has got one criminal antecedent in
which he is said to be on bail.

As per the prosecution story, the Excise Officials on
secret information raided the house of the petitioner from where



61.740 litres of illicit liquor were recovered and the petitioner was apprehended.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that nothing has been recovered from conscious possession of the petitioner and he is in custody since 18.02.2021.

Mr. Jagdhar Prasad, learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the submission of learned counsel for the petitioner that for the recovery of 61.740 litres of illicit liquor the petitioner is in custody since 18.02.2021, he is accused in one case in which he is on bail, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above named on bail on furnishing bail bonds 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, Begusarai in connection with Excise Case No. 61C2 of 2021, subject to the conditions 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.

The application stands allowed.

(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'.

