

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32180 of 2020

Arising Out of PS. Case No.-54 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

GYANI CHAUDHARY, Son of Naveen Chaudhary, R/o Jai Prakash Nagar,
Ward No. 23, P.S. and District- Khagaria ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Adv.
For the Opposite Party : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 27.11.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Excise Case No. 54C 3 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that when the informant and other excise officials reached in Ward No. 23 of Jai Prakash Nagar, Khagaria, then, a person was seen, who, on seeing the excise officials, fled away throwing the sacks in which 41 bottles each of 180 ml, one bottle of 375 ml and 9 bottles of 750 ml of Indian made foreign liquor recovered. The persons present there disclosed the name of the person, who succeeded to flee away, as Gyani Chaudhari (petitioner).



Submission is that petitioner was not apprehended on spot and the name of the petitioner was disclosed by the persons present there, but, the names of those persons, who disclosed the name of the petitioner, have not been disclosed. Further, submission is that since the petitioner is accused in two cases of similar nature in which he is on bail, due to that reason the petitioner has been implicated in the present case.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Excise Case No. 54C 3 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Khagaria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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