

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45216 of 2021**

Arising Out of PS. Case No.-130 Year-2019 Thana- BISHUNPUR District-
Darbhanga

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JAI PRAKASH CHAUDHARY @ J.P., aged about 38 years, Son of Jitendra Chaudhary @ Jitendra Kumar Chaudhary, Resident of Village - Patori, P.S.-Moro, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Mistry, Advocate

For the Opposite Party: Mr. J.K. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conference.

2. Learned counsel for the petitioner has filed an undertaking that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

3. The petitioner, who is in custody since 18.01.2020, has renewed his prayer for bail in connection with Bishanpur P.S. Case No. 130 of 2019, having earlier been rejected by order dated 14.05.2020 passed in Criminal Miscellaneous No. 17175 of 2020 for the offences alleged under Sections 467 & 468/34 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



4. It is submitted that the petitioner has remained in custody on the accusation of recovery of 1486.08 litres of liquor from two vehicles. It is further submitted that the petitioner is not the owner of the said vehicles and nothing has been recovered from his conscious possession. In any event, the petitioner has already suffered custody for more than one year and seven months since 18.01.2020.

5. Learned APP appears and has been heard.

6. Be that as it may, having regard to the period of custody already suffered since 18.01.2020, let the petitioner above named 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 2nd Additional Sessions Judge-cum- Special Judge (Excise), Darbhanga, if he is not otherwise required in any other case.

7. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 2 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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