

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9108 of 2021**

Arising Out of PS. Case No.-406 Year-2020 Thana- ATRI District- Gaya

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Golu Kumar @ Gola Chaudhary @ Golu Son of Muni Chaudhary @ Mani Chaudhary, R/o Village- Damodara, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Chandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Atri P.S. Case No. 406 of 2020 registered for offence punishable under sections 272 and 273 of the Indian Penal Code read with section 30 (a), (d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

30 litres illegal mahua wine has been recovered from the banks of the river. The petitioner has been implicated in this case on suspicion and has been taken into custody since



15.11.2020. The petitioner has no criminal antecedents and the recovery is not in accordance with law and the petitioner has no concern with the recovered substance.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in Atri P.S. Case No. 406 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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