

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19082 of 2021

Arising Out of PS. Case No.-407 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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GIRJA NAND CHAUDHARY @ GRIJA NAND CHAUDHARY SON OF
YOGENDRA CHAUDHARY R/O BIJULIA NEAR PAWAN PETROL
PUMP, P.S.- RAMGARH CANT, DIST.- RAMGARH (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh, Advocate.

For the Opposite Party/s : Mr.APP.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-01-2022 Heard Mr. Udit Narayan Singh, learned Advocate for

the petitioner and learned Additional Public Prosecutor for the

State.

The petitioner seeks bail in anticipation of his arrest in
connection with Excise (Sherghati) P. S. Case No. 407 of 2018
instituted for the offences under Sections 30(a) and 56(B) of the
Bihar Prohibition and Excise Act.

315 litres of country made liquor is said to have been
recovered from a vehicle which is stated to be of the petitioner.

This is the reason for his implication in the present
case.

Mr. Udit Narayan Singh, learned counsel for the
petitioner has submitted that he had given his vehicle to his
driver, namely, Md. Israel for taking his wife to a hospital for



her treatment, but mischievously aforesaid Md. Israel consented for transporting liquor in the vehicle in an unauthorized manner. The petitioner had no idea that his long-time employed driver would do this to him.

The petitioner does not have criminal antecedent.

On these grounds, it has been urged that the offence under the Excise Act cannot at all be said to have been made out against the petitioner.

Regard being had to the facts afore-stated, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Excise (Sherghati) P. S. Case No. 407 of 2018, subject to the condition as laid down under Section 438 (2) Cr. P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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