

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17374 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- MAJHAULIA District- West Champaran

ASHOK CHAUDHARY @ ASHOK CHAUDHARI SON OF SHITAL
CHAUDHARY R/O VILLAGE- SARISWA BAZAR, WARD NO.10, P.S.-
MAJHAULIYA, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Majhauiliya P.S. Case No. 16 of 2022 registered for the offence
under Sections 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 10 liters of country made liquor.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case merely on the basis of suspicion. He
further submits that as per FIR, 10 liter country made liquor
has been recovered from the bag of the petitioner. He further
submits that nothing has been recovered from the conscious
possession of the petitioner. He further submits that the



police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 07.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Court below where the case is pending in connection with Majhauiliya P.S. Case No. 16 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



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.

(Rajesh Kumar Verma, J)

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