

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19165 of 2022**

Arising Out of PS. Case No.-67 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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AKASH KUMAR SON OF PACHU CHAUDHARY R/O VILLAGE-
BHADEJI, P.S.- MUFFASSIL, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Excise Case No. 67 of 2022 registered for the alleged offences under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, during vehicle checking, from the scooty of the petitioner, 70 liters of illicit country made liquor was recovered and the petitioner was apprehended.

Learned counsel for the petitioner submits that the

petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the possession of the petitioner. Seizure list has not been prepared in accordance with law. Charge sheet has been submitted in this case and petitioner is in custody since 06.02.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the fact that the petitioner has got clean antecedent and charge sheet has been submitted in this case and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. 3, Gaya in connection with Excise Case No. 67 of 2022, subject to the other conditions as laid down under Section 437(3) of the Cr.P.C.

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) The petitioner will not indulge in

similar type of offences in future.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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