

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19655 of 2022

Arising Out of PS. Case No.-129 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Vikram Chaudhary, S/O Babulal Chaudhary, Resident Of Village- Beldih,
P.S.- Roh, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

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 G.O Case No. 129 of 2022 registered for the alleged offences under Section 30 (a), (c) of Bihar Prohibition & Excise (Amendment) Act, 2018.

The prosecution case is that on receipt of a secret information about manufacturing of illicit country made liquor by the petitioner and the co-accused, a raid was conducted at that place. The petitioner and the co-accused tried to escape but



they were apprehended after chase. About 20 liters of country made *Mahua* liquor and 120 kg of fermented *Mahua* were recovered from an abandoned hut near the house of the petitioner.

Learned counsel for the petitioner submits that general and omnibus allegations have been levelled against the petitioner, who is innocent and has been falsely implicated in this case. The recovery has been shown from an abandoned hut, which was accessible to all, so it could not be said with certainty that the seized material belong to the petitioner. The prosecution report has been submitted in this case and the petitioner is in custody since 10.02.2022 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submission made hereinabove and considering the fact that charge-sheet has been submitted in this case and the petitioner has got clean antecedent and he is in custody since 10.02.2022, 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 Special Excise Judge-II, Nawada in connection with G.O Case No. 129 of 2022 subject to the following conditions :



(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) In case of absence for 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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