

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24782 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- SIRDALA District- Nawada

=====

VIJAY CHAUDHARY Son of Suresh Chaudhary R/o Village - Ramraichak,
P.s.- Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-08-2022 No one appears for the petitioner.

Mr. Jitendra Kumar Singh, learned APP for the State is present. The case has been taken up through video conferencing in view of the COVID 19.

Let the defect(s), if any, as pointed out by the office be removed within four weeks.

The petitioner is an accused in connection with Sirdaila (Meskaur) P.S. Case No. 127 of 2022 under Sections 30(a) of the Bihar Prohibition and Excise Act (Amendment) Act, 2016.

The allegation in the FIR is that of recovery of 19 liters of local made '*mahua*' from the motorcycle when the police intercepted the same.

As per the averments made in the bail application,



there has been recovery/seizure of 19 liters local made 'Mahua' from the motorcycle which does not belong to the petitioner. He has been dragged in this case simply on the basis of the fact that he was riding the motorcycle. For the said alleged act, he has suffered a lot by being in jail since 18.03.2022 (as stated in paragraph-13 of the bail application) despite the fact that he has no criminal antecedent.

Taking into account the aforesaid facts that the petitioner has no criminal antecedent, he is in jail since 18.03.2022 and charge sheet stands submitted, this court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Judge -1st, Nawada in connection with Sirdalla (Meskaur) P.S. Case No. 127 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

