

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27561 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- AMAS District- Gaya

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Pramod Chaudhary, Son of Arjun Chaudhary Resident of Village - Jhari, P.S.-
Amas, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioner and the

learned APP for the State through virtual mode in view of

COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Amas P.S. Case No.61/2022 instituted under Section 30(a)
of Bihar Prohibition & Excise Amendment Act, 2018.

The prosecution case, in short, is that on 20.02.2022,
the informant received an information that one Pramod
Chaudhary has put an oven to prepare the illegal wine on the
bank of Nala near Jhari Dam. The informant and other police
force raided the place and found 50 liters countrymade 'Mahua'
wine and a motorcycle bearing registration no.BR28G-3389 and



also cash Rs.2800/- from the pocket of Pramod Choudhary.

Learned counsel for the petitioner submits that the allegation is of recovery/seizure of 50 liters countrymade liquor besides some equipment/utensils alleged to have been found from the place of occurrence for which he has already suffered by being in jail since 21.02.2022 (as stated in para-11 of the bail application) despite the fact that he has no criminal antecedent.

Considering the fact that he has no criminal antecedent, is in jail since 21.02.2022 and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Amas P.S. Case No.61/2022 to the satisfaction of learned Exclusive Special Excise Judge Court No.2, Gaya, subject to 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 cancellation of his/her



bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his/her presence;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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