

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50766 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- AMBA District- Aurangabad

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RANJAY CHOUDHARY S/o Rajendra Choudhary @ Rajindra Chaudhri R/o
village- Udbhanchak, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Amba P.S.
Case No. 94 of 2021 registered for the offence punishable under
Section 120B of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

According to F.I.R., during the course of checking of
vehicles, about 525 litres of country made liquor was recovered
from the Sumo Victa and the petitioner who is said to be driver
of the said vehicle was apprehended by the police.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent. He is innocent and has falsely been implicated in the present case. Learned counsel further submits that it appears from the F.I.R. itself that nothing has been recovered from conscious possession of the petitioner and the said recovery has been made from one Sumo Victa vehicle. He further submits that the petitioner has no concern with the vehicle in question. Petitioner is in custody since 20.07.2021.

The learned Additional Public Prosecutor for the State opposed the prayer for bail.

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 Addl. District and Sessions Judge-II cum Special Judge, Excise, Aurangabad in connection with Amba P.S. Case No. 94 of 2021 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.

(3) 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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