

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53890 of 2021**

Arising Out of PS. Case No.-314 Year-2020 Thana- AWTARNAGAR District- Saran

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RAM CHANDRA CHAUDHARY S/O LATE SURAJ CHAUDHARY
RESIDENT OF VILLAGE- KAMALPUR, P.S.- AWATARNAGAR,
DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kalyan Shankar, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 29-04-2022 The applicant/accused in Crime No. 314 of 2020 registered with Awatarnagar Police Station for the offences punishable under Sections 30, 30(a) of Bihar Prohibition Liquor Excise Act, 2016, by this application is seeking his release on bail during pendency of the trial.

Heard both sides.

Perused the material placed before me.

It is averred that police received information that few persons are indulged in distillation of country made liquor. The spot was raided. The persons who were indulged in distillation of illicit liquor fled away from the spot. However, according to the prosecution case, chowkidar has identified the applicant as one of that such person.



The spot was inspected and police recovered 60 litres of country made liquor apart from 18 ovens and other instruments used in distillation of illicit liquor.

The applicant was not apprehended on the spot. He is named by chowkidar of the village. The applicant is behind bars from July 2021.

Considering the nature of evidence against the applicant, his further pre-trial detention is not warranted. Care of his criminal antecedent can be taken by imposing stringent conditions and, therefore, the order:-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 314 of 2020 registered with Awatarnagar Police Station for the offences punishable under Sections 30, 30(a) of Bihar Prohibition Liquor Excise Act, 2016, be released on bail on executing P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.



(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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