

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57010 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- KHIJARSARAI District- Gaya

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ASHOK CHAUDHARY, Son of Late Manarik Chaudhary, Resident of
Village- Hajichak, P.S.- Khizersarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Ms.Rita Verma, App

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-03-2022

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Amendment Act, 2018.

Informant is a police officer who has alleged in the
FIR that five liters of country made liquor has been recovered
from the house of the petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.
Petitioner is in custody since 10.08.2021.

On the other hand, learned APP submits that petitioner
has two criminal antecedent of similar nature.

In view of above, I am not inclined to enlarge the
petitioner on bail at this stage. Hence, the prayer for bail of the

petitioner is hereby rejected at this stage.

However, **after completing one year in judicial custody**, the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Khizersarai P.S. Case No.109 of 2021, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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