

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62936 of 2021

Arising Out of PS. Case No.-166 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

=====

Sohan Chaudhary, Son of Late Saryug Chaudhary Resident of village - Bemta
Tola, Nawadih, P.S.- Magadh Medical, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-03-2022 Heard learned counsel for the petitioner as well as

learned APP 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.

The petitioner seeks bail in connection with Magadh
Medical P.S. Case No.166 of 2021 registered for the offence
punishable under Section 30(a)(d) of the Bihar Prohibition &
Excise Act, 2016.

The prosecution case in short is that on receiving
confidential information a raid was conducted by the police at
the house of the petitioner and after search, 10 liters of *Mahua*
wine has been recovered from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that petitioner has falsely been implicated in the present case. He further submits that petitioner is not present at the time of recovery and he has no concern with the recovery. He further submits that mother of the petitioner was apprehended and nothing has been recovered from the conscious possession of the petitioner, rather the recovery has been made from the joint house of the petitioner. Learned counsel for the petitioner further submits that charge sheet has been submitted against the petitioner and is in custody since 18.07.2021.

Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner carries three more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IInd-cum-Special Judge of Excise Act, Gaya in connection with Magadh Medical P.S. Case No.166 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 cancelled 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.

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 steps 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)

Prakash Narayan /-

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

