

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51645 of 2022

Arising Out of PS. Case No.-701 Year-2022 Thana- JAHANABAD District- Jehanabad

ANIL CHAUDHARY, S/o Late Sakal Chaudhary, Resident of Mohalla- Utta
Madarpur, P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Jehanabad (Karauna O.P.) P.S. Case No. 701 of
2022 registered for the alleged offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

As per prosecution case, 170 liters of *mahua* liquor
was recovered from a tempo being driven by the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case and nothing incriminating has been recovered from the
conscious possession of the petitioner. The petitioner is a driver

of the seized tempo. Charge sheet has been submitted in this case and the petitioner is in custody since 26.07.2022. The petitioner has no criminal history.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Excise Judge, Jehanabad in connection with Jehanabad (Karauna O.P.) P.S. Case No. 701 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three

consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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