

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53742 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- WAJIRGANJ District- Gaya

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Gore Lal Chaudhary Yadav S/o Chandu Chaudhary R/o Village- Govindpur,
P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 21-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Wazirganj P.S. Case No. 01 of 2022 lodged under Section 30(a)
of Bihar Prohibition and Excise Act, 2018 read with Section 414
of I.P.C.

As per the prosecution case, the total recovery in this
case is 280 litres *desi* wine is there.

Learned counsel for the petitioner submits that the
said recovery was not made from the possession of the
petitioner. He submits that his name has figured in this case by
virtue of the disclosure made by the local *chaukidar*. Counsel

further submits that petitioner is in custody since 19.07.2022 and there is one criminal antecedent in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.- 01, Gaya in connection with Wazirganj P.S. Case No. 01 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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