

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65643 of 2021**

Arising Out of PS. Case No.-1461 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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RAVI CHAUDHARY, S/o Ram Lal Chaudhary R/o Chaudhary Nagar,
Biratpur, P.S.- Aurangabad (Town), District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 07-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Excise Case No. 1461 of 2019, registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Recovery is of 64.6 liters of illicit liquor made from courtyard of the house.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on the basis of confessional statement of co-



accused namely Ram Lal Chaudhary. In fact, nothing has been recovered from the conscious possession of the petitioner. He further submits that co-accused Ram Lal Chaudhary has been granted bail vide order dated 25.02.2020 passed in Cr. Misc. No. 8373 of 2020 by a coordinate Bench of this Court. The petitioner is rotting in judicial custody since 06.10.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submitted that petitioner has one criminal antecedent in which he is on bail.

Considering the facts and circumstances of the case, let, the above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge -II-cum- Special Judge Excise, Aurangabad, in connection with Excise Case No. 1461 of 2019, 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 canceled 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 step 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)

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