

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65921 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- MAHKAR District- Gaya

Ram Pravesh Chaudhary @ Pravesh Chaudhary Son of Ram Jatan Chaudhary
Resident of Village - Hathiyawan, P.S.- Mahkar, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-05-2022

Heard the parties.

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

The petitioner is in custody in connection with
Mahakar P.S. Case No. 61 of 2021 under section 37(B)(C) of the
Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner in the FIR is that
he was creating nuisance in a drunken state. He was put under
breath analyzer and as the same was found positive, he was
arrested.

Mr. Sahja Nand Sharma, Advocate submits that he has
been punished a lot on account of creating nuisance in a
drunken state, inasmuch as, he is in jail since 1.9.2021 (as stated
in para-12 of the bail application).



Considering the aforesaid fact that he is in custody since 1.9.2021, charge-sheet has already been submitted; this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II-Cum-Special Judge of Excise Act, Gaya or his successor, in connection with Mahkar P.S. Case No. 61 of 2021 subject to the following conditions:-

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(ii) he shall appear before the concerned police station every month for next six months to mark his presence.

The bail application is allowd.

(Rajiv Roy, J)

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