

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56345 of 2022

Arising Out of PS. Case No.-547 Year-2022 Thana- GAYA MUFASIL District- Gaya

Baithu Chaudhary S/o Late Ramphal Chaudhary @ Late Ramfal Choudhary,
Resident of Village- Bhadeji, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 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
Muffasil P.S. Case No. 547 of 2022, lodged under Section
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

As per prosecution case, the total recovery of 15 liter
of country-made liquor and 2000 liter of *Jawa Mahua* have been
made, which is matter relating to the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel also submits that from the seizure list, it transpires that

the said recovery was not made from the land of petitioner. He further submits that there is one criminal case pending against the petitioner, in which he is on bail. He also submits that petitioner is in custody since 31.07.2022 and charge-sheet has already been filed in this case.

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 Excise, Court No. 1 Gaya in connection with Muffasil P.S. Case No. 547 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 an 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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