

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71391 of 2021

Arising Out of PS. Case No.-357 Year-2021 Thana- GORAUL District- Vaishali

Mukesh Chaudhary, Son of Jawahir Chaudhary @ Jawahar Chaudhary,
Resident of Village - Goraul, P.s.- Goraul, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Priyesh Kumar, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s :		Mr. Harendar Prasad, A.G.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Goraul P.S. Case No. 357 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibitions and Excise Act.

As per prosecution case, police received information about storage of liquor in his house by the petitioner. A raid was conducted and the petitioner was apprehended while trying to flee away from the spot. From the house of the petitioner, 90



liters country made liquor was recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. The recovery has been shown from his joint house and the petitioner could not be fastened with the liability of the same. Charge sheet has been submitted in this case and the petitioner is in custody since 13.09.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that recovery has been made from the house of this petitioner and he was caught from the spot.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge sheet, 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 Additional Sessions Judge-II-cum-Excise Court Vaishali at Hajipur in connection with Goraul P.S. Case No. 357 of 2021, 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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