

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71311 of 2021

Arising Out of PS. Case No.-377 Year-2021 Thana- ATRI District- Gaya

Shankar Chaudhary @ Shankar Choudhary Son Of Late Lakhan Chaudhary
Resident Of Village - Sahoda (Sahora), P.S.- Atri, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-06-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in connection with Atri P.S. Case No. 377 of 2021 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act. He is in custody since 14.11.2021. The petitioner has got two criminal antecedents and in both the cases he is on bail.

Learned counsel for the petitioner submits that as per the prosecution story, 8 liters of country made wine was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that nothing incriminating has been recovered either from the conscious possession of the petitioner or from his house. It is submitted that the petitioner has remained in custody since 14.11.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is in custody since 14.11.2021, investigation against him is complete and his presence may also be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Atri P.S. Case No. 377 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: the ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during pandemic period all concerned shall act on the basis of the copy of the order uploaded on the high court website under the heading 'judicial orders passed during the pandemic period'.

