

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.840 of 2022

Arising Out of PS. Case No.-284 Year-2020 Thana- PARAIYA District- Gaya

1. MAHENDRA CHAUDHARY Son of Krishna Chaudhary Resident of Village- Bagahi, P.S.- Paraiya, District- Gaya.
2. Indar Chaudhary @ Bandra Son of Krishna Chaudhary Resident of Village- Bagahi, P.S.- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Paraiya P.S. Case No.284 of 2020, registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Recovery is of 10 liters of country made liquor.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in the present case. He further submits that it appears from the seizure list that nothing has been recovered from the conscious possession of the petitioners rather the recovery



has been made from the house of the petitioners. He further submits that the petitioners were not apprehended on the spot. He further submits that the petitioners have no concern with the seized liquor. Moreover, the co-accused, Sikandar Chaudhary has already been granted bail by this Court vide order dated 08.03.2022 passed in Cr. Misc. No.66632 of 2021 and the petitioner nos. 1 and 2 are in custody since 13.11.2021 and 18.11.2021 respectively.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners and submits that the petitioners carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each 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 Paraiya P.S.Case No.284 of 2020 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without



sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

brajesh/-

U		T	
---	--	---	--

