

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.951 of 2022

Arising Out of PS. Case No.-644 Year-2021 Thana- BARACHATTI District- Gaya

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Tatan Chaudhary Son Of Late Bela Chaudhary Resident Of Village-
Barachatti, P.S.- Barachatti, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-06-2022 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 Barachatti P.S. Case No. 644 of 2021 registered
for the offences punishable under Section 37(2) of Bihar
Prohibition and Excise (Amendment) Act, 2018. He is in
custody since 14.10.2021 and has got one criminal antecedent in
which he is said to be on bail.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that he along with another
person was apprehended by police in drunken condition on
motorcycle.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that investigation against the petitioner is complete and his presence may be secured in course of trial. The petitioner has remained in custody since 14.10.2021.

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 has been found in drunken condition, the petitioner has one criminal antecedent in which he is said to be on bail, he is in custody since 14.10.2021, investigation against him is complete and his presence may also be secured in course of trial, therefore, 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 2nd cum Special Judge Excise Act, Gaya in connection with Barachatti P.S. Case No. 644 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'.

