

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5457 of 2023

Arising Out of PS. Case No.-311 Year-2018 Thana- WAJIRGANJ District- Gaya

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Ram Balak Chaudhary S/O Late Lala Chaudhary R/O Village- Tungi
Chakpar, P.S.- Wajirganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-06-2023 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.

The petitioner seeks regular bail in connection with
Wazirganj P.S. Case No. 311 of 2018 lodged under Sections
272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per the prosecution case, there were seven named
accused persons who used to do business of wine selling.

Learned counsel for the petitioner submits that the
petitioner has been remanded in this case. He further submits
that petitioner's name was filed in three cases and he is in
custody since 13.09.2022. Counsel submits that one of the

relatives of the petitioner has been made accused in this case, who has disclosed petitioner's name. Counsel submits that petitioner has not been apprehended from the place of occurrence 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 Exclusive Special Excise Court No. 1, Gaya in connection with Wazirganj P.S. Case No. 311 of 2018, 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 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.)

Ashishsingh/-

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