

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22704 of 2023

Arising Out of PS. Case No.-484 Year-2022 Thana- PARAIYA District- Gaya

Ajay Chaudhary, S/O Late Gopi Chaudhary R/O Village- Bagahi, Chaudhary Tola, P.S- Paraiya, Distt.- 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. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 25 litre of liquor from the house of petitioner.

The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that even the house is a joint family property and as such, it cannot be alleged with certainty that it was petitioner, who had kept the liquor in the house or the liquor was kept in the house



within the knowledge of the petitioner.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No.2, Gaya in connection with Paraiya P. S. Case No.484 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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