

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36830 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- BARUN District- Aurangabad

GUDDU CHAUDHARY S/O LATE GORA CHAUDHARY @ GORAKH
CHAUDHARY Village- Jogiya PS. Barun Dist. Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Barun
P.S. Case No. 166 of 2023 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act.

As per prosecution case, total 15.18 english liquor
was recovered from the shop of the petitioner and petitioner is
apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 21.04.2023. Petitioner bears
criminal antecedent of one case which is similar in nature. He
further submits that petitioner is quiet innocent and has falsely



been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Special Judge -1 Excise Aurangabad in connection with Barun P.S. Case No. 166 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for



cancellation of bail.

(Alok Kumar Pandey, J)

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