

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55093 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- WAJIRGANJ District- Gaya

Pradeep Chaudhary Son Of Krishna Chaudhary Resident Of Village- Pranpur,
Ps- Wazirganj, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
07.07.2023 in connection with Wazirganj P.S. Case No. 277 of
2023, F.I.R. dated 14.05.2023 registered for the offence
punishable under Sections 30(a),45 of Bihar Prohibition and
Excise Act, 2016.

3. Recovery is of 110 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Further submits that it appears from the FIR as
well as the seizure list that no incriminating article has been
recovered from conscious possession of the petitioner rather the
recovery have been made from the vehicle in question and the



petitioner has no concern at all with the alleged recovery of illicit liquor or the vehicle in question and petitioner is neither the driver nor the owner of the vehicle in question and the petitioner is in custody since 07.07.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one of the similar nature.

6. Considering the aforesaid fact, no incriminating article has been recovered from conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten 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. 277 of 2023, with the following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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 step 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.

(Rajesh Kumar Verma, J)

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