

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61188 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- DARIYAPUR District- Saran

Pradum Chaudhary @ Pradeep Kumar S/O Late Lalan Chaudhary R/O
Village- Dariyapur Bazar, PS. Dariyapur, Distt. Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-09-2023 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
28.06.2023 in connection with Dariyapur P.S. Case No. 73 of
2023, F.I.R. dated 21.02.2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2018.

3. Recovery is of 70 liters of country-made liquor.

4. Learned counsel appearing for the petitioner
submits that he has falsely been implicated in the present case
mainly on the basis of suspicion. Further submits that it appears
from the FIR as well as the seizure list that the recovery has
been made from the joint house of the petitioner and there is
non-compliance of Section 100 of the Cr.P.C. and the petitioner



is in custody since 28.06.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

6. Considering the aforesaid fact, petitioner has clean antecedent, 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 Additional Sessions Judge-I, Exclusive Special Excise Court, Saran at Chapra, in connection with Dariyapur P.S. Case No. 73 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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