

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61700 of 2023

Arising Out of PS. Case No.-249 Year-2023 Thana- NAUTAN District- West Champaran

Pramod Chaudhary son of Baidhnath Chaudhary Village- Bagahi Ratanpura
@ Ratanpur Ps- Bairiya Dist- W.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.08.2023 in connection with Nautan P.S. Case No. 249 of
2023, F.I.R. dated 23.06.2023 for the offences punishable under
Sections 30(a) of Bihar Prohibition and Excise Act.

3. The case relates to recovery of 191.52 liters of
I.M.F. liquor along with Scorpio.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case merely on the basis of the information furnished by
the informant who had identified the petitioner. Further submits
that petitioner has been apprehended at the spot and nothing has
been recovered from his conscious possession or from his
house, rather the alleged recovered has been made from the



vehicle in question and the petitioner is neither the owner nor the driver of the vehicle in question. Further submits that he had no concern at all with the alleged recovery of the illicit liquor and the petitioner is in custody since 06.08.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedent other than the present one, but fairly submits that in all the cases petitioner is on bail.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Judge, Excise Bettiah, West Champaran in connection with Nautan P.S. Case No. 249 of 2023, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

Prakash Narayan

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