

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64485 of 2023

Arising Out of PS. Case No.-443 Year-2023 Thana- WAJIRGANJ District- Gaya

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Viru Chaudhary son of Wazir Chaudhary resident of Village- Morhe Ps-
Fatehpur, Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Wazirganj P.S. Case No. 443 of 2023 lodged on 17.07.2023
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. As per the prosecution case, total 350 liters of
country made Mahua liquor has been recovered from a Bolero
vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is alleged to be the driver of the said vehicle. Counsel
for the petitioner submits that four persons were apprehended
from the said vehicle. Counsel submits that petitioner is neither
driver nor the owner of the vehicle and is in custody since



18.07.2023.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.V, Gaya, in connection with Wazirganj P.S. Case No.443/2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

Mkr./-

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