

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73772 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- PARAIYA District- Gaya

Atendra Chaudhary @ Sighari Chaudhary Son of Late Munarik Chaudhary
Resident of Village- Bagahi, P.S. Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with Paraiya P.S. Case No. 402 of 2023 dated 14.12.2023 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The allegation is of recovery of 20 litres country made *Mahua* liquor from the house of the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the alleged liquor was recovered from the joint house of the petitioner. The petitioner had no



knowledge about the alleged liquor. It is submitted that the petitioner has no concern either with the seized liquor or business of illegal liquor. Lastly, it has been submitted that the petitioner is in custody since 13.08.2024, having three criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise, Court No. 2, Gaya in connection with Paraiya P.S. Case No. 402 of 2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood



relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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