

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77839 of 2024

Arising Out of PS. Case No.-321 Year-2024 Thana- Excise P.S. District- Aurangabad

Manoj Chaudhary S/o Late Charitra Chaudhary @ Chatitra Chaudhary R/o
Keshav Market, P.S.- Barun, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Daudnagar P.S. Case No. 321 of 2024 instituted for the offences
punishable under Sections 30(a), 32(3) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 117 litres
of foreign liquor was recovered from car and the petitioner was
apprehended on the spot.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is the owner of the vehicle in question and was unaware that the illicit liquor has been loaded in the vehicle. The petitioner is in custody since 15.09.2024 and has six criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daudnagar P.S. Case No. 321 of 2024 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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