

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80689 of 2024

Arising Out of PS. Case No.-863 Year-2024 Thana- Excise P.S. District- West Champaran

Rambabu Chaudhary Son of Late Dhaneshwar Chaudhary Resident of
Village- Navkla Tola, Ward No- 09, Dumwaliya, P.S- Pathkauli, Distt.- W.
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-11-2024 Heard the parties.

2. The petitioner is in custody in connection with
Excise P.S. Case No. 863 of 2024 for the offence punishable
under section 30(a) of the Bihar Prohibition and Excise Act
lodged on 22.09.2024 by the informant, Vishal Kumar.

3. As per the prosecution story, the informant alleged
that on secret information, raided the house of the petitioner and
there is recovery/seizure of 22.6 liters of foreign liquor. This led
to the FIR/arrest.

4. Learned counsel for the petitioner submits that
nothing has been recovered from his conscious possession rather
from a joint house, is in custody since 23.09.2024 (paragraph-9
of the petition) and implicated only because of his criminal



antecedent.

5. Learned APP opposes the prayer for bail submitting that it has been recovered from his house.

6. Taking into account the aforesaid facts as also that the recovery is from a joint house and is in custody since 23.09.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Bagaha, West Champaran, in connection with Excise P.S. Case No. 863 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

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



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

(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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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