

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5312 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -SIKANDARA District- JAMUI

=====

Pradeep Chaudhary son of Sakhi Chan Chaudhary, resident of Purani Durga Sthan, Sikandra, P.S. Sikandra, Dist. Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad(App)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Sikandra P.S. Case No.150 of 2015 registered for offence
punishable under Section 273 of the Indian Penal Code and
Section 47(A) of the Excise Act.

The prosecution case as lodged by the S.I. of the said
police station is that on 31.10.2015, the informant and other police
personnel were on petrol duty got an information at about 19 o'
clock that Pradeep Chaudhary (Petitioner) is making country made
liquor and serving and selling to the people. It is further stated that
informant then informed the high police officials and thereafter on
his instruction constituted a raiding party and proceeded for

examining the truth and needful action. It is stated that at the house of Pradeep Chaudhary in presence of two local witness namely Munna Dom and Shyam Sunder Das raid was conducted, but Pradeep Chaudhary fled from there. On search 60 liters country made liquor and about 1000 kg. wet Mahua were found.

It has been submitted by the learned counsel for the petitioner that the police party went to the house of the petitioner and in the presence of two witnesses, 60 liters country made liquor and 1000 kg. wet Mahua were seized and seizure list were prepared. Since the wet Mahua is not fit to be carried it was destroyed. It has further been submitted by the learned counsel for the petitioner that he is innocent having no criminal history and nothing has been recovered from his conscious possession. Alternatively it has been urged that the petitioner being first offender and little quantity of country made liquor has been confiscated wet Mahua having been destroyed, deserves the privilege of bail.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R. and opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a

period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jamui in connection with Sikandra P.S. Case No.150 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

N.H./-

U		T	
---	--	---	--