

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55330 of 2017

Arising Out of PS. Case No.-129 Year-2017 Thana- BACHWARA District- Begusarai

Deepak Choudhary @ Deepak Kumar Choudhary, son of Sri Vijay Choudhary, resident of village-Fateha, P.S. Bachhwara, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-11-2017 Heard Sri Nilesh Kumar, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 08.09.2017 in Bachhwara P.S. Case No.129 of 2017 registered for the offence under Sections 353/290 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act,2016, has prayed for grant of bail.

By way of referring to the statement made in paragraph-3 of the petition, it was submitted by learned counsel for the petitioner that the petitioner is having clean antecedent. He further submits that to the reasons best known to the informant, at an odd hour i.e. in the night at 11.00 P.M., the police had conducted a raid in the residential house, which was in joint possession of the petitioner and other Pattidars and recovery of



huge quantity of Indian Make Foreign liquor was shown. He submits that the seizure itself was in violation of Section 100 of the Code of Criminal Procedure. Moreover, the house, from where said liquor was recovered, was in joint possession. He submits that the petitioner has sufficiently remained in custody.

Considering the facts and circumstances, clean antecedent as well as period of custody, let the petitioner, namely, Deepak Choudhary @ Deepak Kumar Choudhary be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-cum- Addl. Sessions Judge-VII, Begusarai in connection with Bachhwara P.S. Case No.129 of 2017.

(Rakesh Kumar, J)

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