

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55714 of 2016

Arising Out of PS.Case No. -167 Year- 2016 Thana -PALIGANJ District- PATNA

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Budhan Chaudhary, S/o Late Karmu Chaudhary, R/V Parion, P.S.
Paliganj, Distt. - Patna. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Paliganj P.S.
Case No. 167 of 2016 registered for the offence punishable under
Section 47 of Bihar Excise Amendment Act, 2016.

Allegedly, from the newly constructed house and godown
of the petitioner huge quantity of foreign liquor was recovered as
per seizure list and the petitioner confessing his guilt stated the
name of his two associates also.

Submission is of false implication and that nothing has been
recovered from conscious possession of the petitioner, the alleged
house is under construction, the petitioner has got no concern with
those articles recovered from that house and moreover the
petitioner is in custody since 18.09.2016 and now he has
sufficiently been penalized.



Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur, Patna in connection with Paliganj P.S. Case No. 167 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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