

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55038 of 2017

Arising Out of PS.Case No. -100 Year- 2017 Thana -VIDYAPATINAGAR District- SAMASTIPUR
=====

1. Subodh Kumar Choudhary son of Late Ram Sagar Choudhary resident of village Sherpur, P.O. Sherpur, P.S. - Vidyapatinaragar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Gupta

For the Opposite Party/s : Mr. Sri Nand Kishore Pd
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-11-2017 The petitioner seeks regular bail in connection with Vidyapatinaragar P.S. Case No. 100 of 2017, registered for offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a), 35(a) (b), 38(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 10 bottles of foreign liquor each containing 750 ML and 7 bottles of foreign liquor each containing 180 ML.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and nothing has been recovered either from his possession or from his house. Further he has no criminal antecedent and has been in judicial custody for more than two months.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Samastipur, in connection with Vidyapatnagar P.S. Case No. 100 of 2017, subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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