

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21860 of 2018

Arising Out of PS.Case No. -30 Year- 2018 Thana -KHAJEKALA District- PATNA

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Amod Choudhary S/o Nagendra Choudhary, R/o Mohalla- Jadua Nawada
Khurd, P.S.- Ganga Bridge, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 17-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Special Case No. 1159
of 2018 arising out of Khajekalan P.S. Case No. 30 of 2018
registered under Section 290 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

120 litres of toddy is said to have been recovered
from the auto and its driver managed to escape while the petitioner
sitting on the said vehicle was apprehended.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. He has no
concern with the seized toddy. Petitioner happens



to be simple commuter of the said auto and he had no knowledge of keeping of the said liquor in the said vehicle. He has no criminal antecedent. He has been languishing in custody since 11.02.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No. 1159 of 2018 arising out of Khajekalan P.S. Case No. 30 of 2018.

(Prakash Chandra Jaiswal, J)

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