

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19540 of 2018

Arising Out of PS. Case No.-162 Year-2017 Thana- DANIYAWA District- Patna

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Mantu Choudhary, Son of Late Ram Prevesh Choudhry, Resident of Village-
Faridpur, P.S.- Daniyawan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Daniyawan P.S. Case no. 162 of 2017 registered under Sections
30(a), 38(1) and 38(2) Bihar Prohibition & Excise Act-2016.

50 lts. of country made liquor and raw material kept
in a 1000 lts. of drum were seized from the house of the
petitioner and petitioner, his wife and daughter were
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized article. The house from where the aforesaid article is



said to have been recovered, is inhabited by several other family members of the petitioner and he had no knowledge of keeping of the aforesaid article in the said house. Moreover, the quantity of raw material has not been mentioned in the FIR and seizure list. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 10.12.2017. Wife and daughter of the petitioner have been enlarged on bail by learned court below.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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 Daniyawan P.S. Case no. 162 of 2017.

(Prakash Chandra Jaiswal, J)

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