

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39524 of 2018**

Arising Out of PS.Case No. -122 Year- 2018 Thana -UDAKISHANGANJ District- MADHEPURA

Binod Choudhary @ Binaudh Choudhary, S/o Saheb Choudhary, resident  
of Village Haraili, P.S. Uda- Kishunganj, District- Madhepura.

.... .... Petitioner/s

Versus

The State of Bihar.

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

**Appearance :**

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR  
UPADHYAY  
ORAL ORDER**

2      09-07-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with  
Udakishunganj P.S. Case No. 122 of 2018 for the offence under  
Section 30(a), 37(b)(c) of the Bihar Prohibition and Excise Act,  
2016.

Learned counsel for the petitioner submits that the  
petitioner has got no criminal antecedent. He further submits that  
in the instant case 50 litres toddy was seized. Learned counsel  
submits that the toddy was not recovered from the house of the  
petitioner. The petitioner is a labourer and he has no concern with  
the sale and purchase of toddy. He further submits that the  
petitioner is in custody since 11.05.2018.

Considering the fact that the petitioner has no  
criminal antecedent and he has remained in custody for about two



months, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II- Cum- Special Judge (Excise), Madhepura in connection with Udakishunganj P.S. Case No. 122 of 2018.

**(Anil Kumar Upadhyay, J)**

Uday/-

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