

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50152 of 2018

Arising Out of PS.Case No. -204 Year- 2018 Thana -ATRI District- GAYA

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Rajesh Chaudhary, S/o Bithal Chaudhary, Resident of Village- Teusa Bazar,
P.S.- Atri, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Sections 30(a)(d) of the Bihar Prohibition and Excise
Act, 2016.

3 litres of country made liquor and 80 litres of
jaggery are said to have been recovered from the house of the
petitioner. The aforesaid jaggery was destroyed at the place of
occurrence.

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 article. He has been falsely implicated in the case at the instance of his enemies. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the said liquor in the house. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 24.06.2018.

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, Gaya in connection with Atri P.S. Case No. 204 of 2018.

(Prakash Chandra Jaiswal, J)

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