

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63864 of 2018

Arising Out of PS.Case No. -91 Year- 2018 Thana -SULTANGANJ District- PATNA

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1. Sai Kumar Choudhary @ Shiv Kumar Choudhary @ Shikumar Choudhary @ Shiv Shankar Choudhary @ Sukumar Choudhary, Son of Bharat Choudhary, Resident of Village- Maliya Mahadeo Jalla Road, Abdul Chak, Gulzarbagh, A/p Maharajganj, Chailitand, Police Station- Alamganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with Special Case No. 3872 of 2018 arising out of Sultanganj P.S.Case No. 91 of 2018, registered for offences punishable under Sections 30 (a), 32 (2) and 41 (1) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner as per F.I.R. is of recovery of 690 liters toddy from the tempo of the petitioner and he has been arrested and the petitioner has also been made accused in similar type of case bearing Sultangan P.S.Case No. 179 of



2018.

Submission of the learned counsel for the petitioner is that no body has been arrested on the spot and petitioner is not named in the F.I.R. It is also apparent from the F.I.R. that the petitioner has no concern with toddy and he is in custody since 24.04.2018.

Heard learned A.P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Special Case No. 3872 of 2018 arising out of Sultanganj P.S.Case No. 91 of 2018, subject to the following conditions:-

- 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) The petitioner will not induce any witness or tamper with the evidence.
- iii) It is made clear that if petitioner found involved



in any of the like offences, in future, prosecution is
free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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