

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31275 of 2018

Arising Out of PS.Case No. -58 Year- 2018 Thana -GAURICHAK District- PATNA

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Sanjay Choudhary son of Lallu Choudhary resident of village - Barawan,
Police Station - Gaurichak, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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

ORAL ORDER

2 21-05-2018 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 Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

550 liters of toddy is said to have been recovered
from the tempo and petitioner and two other persons sitting in the
tempo were 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. He happens to be a simple commuter and
had no knowledge of keeping of toddy in the tempo. He has no



criminal antecedent and has been languishing in custody since 06.03.2018. Charge-sheet in this case has already been submitted.

In the facts and circumstances of the case, 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. 2040 of 2018, arising out of Gaurichak P.S. Case No. 58/2018.

(Prakash Chandra Jaiswal, J.)

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