

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14196 of 2018

Arising Out of PS.Case No. -123 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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1. Manoj Chaudhary @ Amar Chaudhary @ Amar Kumar Chaudhary, Son
of Late Paltan Chaudhary, Resident of Village- Sundarpur Ratwara, P.S.-
Pira, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
24.01.2018 in connection with Excise Case No. 123 of 2016 for
offences punishable under Sections 47(a), (c), (e), (f), (g) and
52(a)(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the excise officials,
is that on information a closed brickkiln named New Amar Brick
Chimni was raided and from the premises huge quantity of foreign
liquor, country-made liquor, spirit and empty bottles as well as its
cover indicating manufacturing of illicit liquor was recovered.



Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the brickkiln belonged to one Ajit Kumar and he had no connection with the seized illicit liquor. He submits that nothing has been recovered from his possession, the seizure-list has not been prepared in accordance with Section 100 Cr.P.C. and that charge-sheet has already been submitted.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Special Judge, Excise, Muzaffarpur, in connection with Excise Case No. 123 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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