

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1817 of 2019

Arising Out of PS. Case No.-231 Year-2018 Thana- HISUWA District- Nawada

Sanjay Chaudhary, aged 35 years, male, son of late Prasadi Chaudhary,
resident of village Gandhi Tola, Hisua, P.S. Hisua, district Nawada
... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Nayan, Adv.
For the Opposite Party : Smt. Pushpa Sinha, APP 121

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-01-2019 Heard the learned counsel for the petitioner and
the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 21.11.2018 in connection with Hisua P.S. Case No. 231 of 2018 for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the informant, police personnel, is that on secret information the house of the petitioner was searched and in the house 20 liters of mahua wine was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession.

However, the learned Additional Public Prosecutor



for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more of similar nature is pending against him.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Hisua P.S. Case No. 231 of 2018 to the satisfaction of the Additional District Judge II-cum-Special Judge, Nawada, subject to the condition that if the petitioner indulges in any offence of similar nature the prosecution will be at liberty to move the learned Court below for cancellation of his bail bond.

(Nilu Agrawal, J)

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