

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6143 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- MAHESHKHUNT District- Khagaria

Kundan Choudhary, son of Late Laxmi Choudhary Resident of Village -
Chhoti Jhiktiya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-02-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Maheshkhunt P. S. Case No. 175 of 2018 dated 09.12.2018 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

A plastic container containing three litres of locally brewed liquor is said to have been recovered from outside the house of the petitioner in the absence of either the petitioner or anyone of his family members.

Learned counsel for the petitioner has submitted that this recovery cannot be foisted on the petitioner as it



has not been recovered from even his constructive possession.

The petitioner has clean antecedents.

For the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Khagaria in connection with Maheshkhunt P. S. Case No. 175 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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