

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7481 of 2019

Arising Out of PS. Case No.-527 Year-2018 Thana- BRAHMPUR District- Buxar

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MITHILESH KUMAR CHAUDHARY @ MITHLESH KUMAR
CHOUDHRY, Son of- Ramashankar Chaudhary, Resident of village- Pasona
Karala, P.S.-Shahpur, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 08-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Brahampur (Nainijor) P.S.**
Case No.527 of 2018 instituted for the offence under Section(s)
272, 273 Indian Penal Code and Sections 30(a) of Bihar
Prohibition and Excise Act, 2016.

Counsel for the petitioner submits that from the
seizure list it will appear that there is no recovery of any foreign
liquor from possession of the petitioner.

It is alleged in the written report that informant got
information that large quantity of illicit liquor is coming at the
bank of Ganga river. The informant reached at the place of
occurrence and saw 9-10 persons were involved in loading the



illicit liquor on pickup Van. On seeing the police party they tried to run away, but the petitioner was arrested. It is alleged that total 957 litres illicit liquor has been recovered from aforesaid bank of the river.

In such circumstances, there is no recovery of illicit liquor from conscious possession of the petitioner.

Petitioner is in custody since 21.11.2018 having clean antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge II cum Special Judge, Excise Act, Buxar**, in connection with **Brahampur (Nainijor) P.S. Case No.527 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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