

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10309 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- JAHANABAD District- Jehanabad

Sanjay Chaudhary aged about 26 years (M), Son of Late Bigu Chaudhary,
Resident of Village- Purvi Unta, P.S. and District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-02-2019 Heard leaned counsels for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
06.01.2019 in a case registered for the offence punishable under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on 05.01.2019, a secret
information was received upon which, an Auto rickshaw was
intercepted from which, 65 litres of country made illicit liquor
were recovered. The alleged Auto rickshaw was driven by the
petitioner.

It is submitted by learned counsel for the petitioner
that the illicit recovered liquor belongs to co-accused Bhura
Yadav. A statement has been made in paragraph no. 3 of the
petition that the petitioner is not having any criminal antecedent.



Learned APP for the State submits that recovery has been made from the Auto rickshaw, driven by the petitioner.

Considering the fact that recovery made from the auto rickshaw, quantity of recovery and period under custody and the prosecution does not suggest that the actual ownership of the alleged auto rickshaw has been ascertained, coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released 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 **Additional Sessions Judge-II-cum- Special Judge Excise, Jehanabad** in connection with **Excise Case No.23 of 2019 arising out of Jehanabad P.S. Case No.11 of 2019 .**

(Dinesh Kumar Singh, J)

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