

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10679 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

SHRAVAN KUMAR CHAUDHARY @ SHARWAN CHOUDHARY Son of
Late Bindeshwari Chaudhary Resident of - Sirsa Raso Tola, P.S.- Katihar (M),
Distt - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody
since 17.01.2019 in connection with Katihar Muffasil P.S.
Case No. 04 of 2019 for offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that the petitioner
has concealed illicit liquor in his house, the police
conducted a raid and in two jars 25 litres each of country-
made liquor was recovered from the room of the house
and the petitioner managed to escape. 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 nothing has been recovered from his conscious possession. The house being a joint family property, the seized illicit liquor cannot be attributed to the petitioner. He further submits that there is violation of Section 100 Cr.P.C. as none of the family members has been provided the seizure-list although raid was conducted in the house. Petitioner undertakes to cooperate in the investigation and not to induce witnesses or tamper with the prosecution evidence.

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 ADJ-II cum Special Judge (Excise Act), Katihar, in connection with Katihar Muffasil P.S. Case No. 04 of 2019, 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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