

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15399 of 2019

Arising Out of PS. Case No.-630 Year-2018 Thana- PURNEA SADAR District- Purnia

AJAY CHOUDHARY Son of Asharfi Choudhary Resident of Village -
Rambag Chauk, P.S.- Sadar, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 29.1.2019 in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on 29.10.2018 at 1.00 A.M. while the informant was on patrolling duty near Rambag Panchwati Chowk, one motorcycle borne person came and after seeing the police, fell down from the motorcycle and apprehended who disclosed his name as co-accused Golu Kumar. From the motorcycle, 92 bottles, each containing 750 ml. Indian made foreign liquor, 144 pouches, each containing 180 ml. Indian made foreign liquor, 16 pieces Hardvice 5000 can beer, each containing



500 ml. were recovered and on being interrogated about the recovered liquor, co-accused Golu Kumar disclosed that he was carrying the said liquor from the house of the petitioner and co-accused Sanjay Choudhary. It is further alleged that on raid, from the house of the petitioner, 93.920 litres of illicit liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house of the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that huge quantity of illicit liquor was recovered from the house of the petitioner.

Considering the fact that the recovery has been made from the joint family house of the petitioner, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the period under custody, let the petitioner above named 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 the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Purnea in



connection with Purnea Sadar P.S. Case No.630 of 2018.

(Dinesh Kumar Singh, J)

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