

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16955 of 2019**

Arising Out of PS. Case No.-5 Year-2019 Thana- BARACHATTI District- Gaya

RAM KEWAL CHOUDHARY Son of Ram Ratan Choudhary Resident of  
Village - Kama Bigha, P.S.- Aurangabad (T), District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tej Narayan Singh  
For the Opposite Party/s : Mr. Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      25-03-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Barachatti P.S. Case No. 05 of 2019, registered for the offence punishable under Sections 30 (A), 38, 47 of the Bihar Prohibition & Excise Amendment Act, 2016.

Learned counsel for the petitioner submits that in the instant case total 350 liters spirit was seized. Learned counsel for the petitioner submits that nothing was recovered from the possession of the petitioner. Counsel for the petitioner submits that petitioner is in custody since 05.01.2019.

Considering the fact that nothing was recovered from the conscious possession of the petitioner and has remained in custody for more than two months, the court is inclined to grant



bail to the petitioner. Let, the petitioner named above be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise) at Gaya in connection with Barachatti P.S. Case No. 05 of 2019, subject to the conditions that both bailors should be elected representative of the local body as the petitioner was also made accused previously in cases under Prohibition and Excise Act.

**(Anil Kumar Upadhyay, J)**

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