

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21031 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- BAHADURPUR District- Darbhanga

DEEPAK CHOUDHARY @ DEEPAK KUMAR, aged about 25 years(Male),
son of Shri Amarnath Choudhary, resident of village Govindpur, P.S.
Bahadurpur, District Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr.Malay Kumar Choudhary Ms. Swati Sinha
For the Opposite Party/s :		Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-04-2019 Heard both sides.

The petitioner apprehends his arrest in Bahadurpur
P.S. Case No.26 of 2019 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The police got information that the petitioner and
Raushan Choudhary had kept liquor in the orchard. The
informant and other police officials went to verify the secret
inputs but two persons managed to flee away. On search, 114
liters of Indian made foreign liquor of different brands was
recovered from the orchard.

The learned counsel for the petitioner submits that
save and except the so called secret inputs received by the
police, there is no material to show that the petitioner had kept
any liquor in the orchard. It is further submitted that nothing has



been recovered from the conscious possession or from the house of the petitioner. Recovery was made from orchard which does not belong to the petitioner. Petitioner has got no criminal antecedent. Nobody has seen the petitioner keeping the Indian made foreign liquor in the orchard.

Taking into consideration the fact that save and except the so called secret information, there appears no material against the petitioner that the petitioner had kept the liquor in the orchard, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, 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 Additional Sessions Judge V-cum-Special Judge, Excise, Darbhanga in connection with G.O. Case No.65 of 2019(arising out of Bahadurpur P.S. Case No.26 of 2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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