

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1654 of 2019

Arising Out of PS. Case No.-440 Year-2018 Thana- BAHADURPUR District- Darbhanga

Prabhakar Choudhary @ Chulbul Choudhary, S/o Ravindra Choudhary,
Resident of Village - Salha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in G.O. No. 904 of 2018 arising out of Bahadurpur P.S. Case No. 440 of 2018, instituted for the offences under Section 30(a), 38(2) and 41 (2) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery of incriminating article from his possession. The seizure list is part of the FIR from which it appears that recovery has been made from an orchard of Damodar Jha. The informant has named this petitioner merely on suspicion. He is in custody since 25.11.2018.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. 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 IV Addl. Sessions Judge-cum-Special Judge, Excise Act, Darbhanga, in connection with G.O. Case No. 904 of 2018 arising out of Bahadurpur P.S. Case No. 440 of 2018. Both the bailors will be close relative of petitioner.

From paragraph 3 of the prayer, it appears that one case of Excise Act is pending against the petitioner.

The petitioner will file affidavit at the time of release that he would not indulge himself in such type of activities in future. If he is found indulged in such type of activities, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

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