

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23867 of 2019

Arising Out of PS. Case No.-459 Year-2018 Thana- JAKKANPUR District- Patna

Satrughan Choudhary aged about 19 years (Male) son of Late Suresh Choudhary resident of Chandpur Bela Old Jakkanpur, P. S. Jakkanpur, Distt. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 273/34 of the Indian Penal Code and Sections 30(a), 38, 41, 47 of Bihar Prohibition and Excise Act, 2016.

In huge quantity, country-made liquor was recovered from joint house of the petitioner. Prosecution claimed that petitioner as well as his elder brother were indulged in illegal selling of the liquor.

Submission on behalf of the petitioner is that petitioner happens to be student and he is most junior member of his family so even if the alleged recovery is assumed to be



true, then also, it cannot be said that the petitioner was indulged in selling the liquor. He further submitted that moreover, petitioner does not have any criminal antecedent and while rejecting the anticipatory bail petition of the petitioner, a co-ordinate bench of this court vide order dated 25.02.2019 passed in Cr. Misc. No. 10953 of 2019 directed the trial court to pass appropriate order on regular bail application of the petitioner keeping in mind that petitioner happens to be a student.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna in connection with Special Case No. 9170 of 2018 arising out of Jakkanpur P.S. Case No. 459 of 2018.

(Hemant Kumar Srivastava, J)

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