

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27995 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- BASANTPUR District- Siwan

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UMESH CHAUDHARY Son of Late Ram Ashish Chaudhary Resident of
Village - Khawaspur, P.S.- Basantpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Basantpur P.S. Case No. 81 of 2018**, instituted for the offence under Section(s) 272, 273, 308/34 of the Indian Penal Code, Sections 34(B), 36 and 38 of Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that informant during patrolling duty got information that co-accused Shiv Narayan Chaudhary along with petitioner has kept concealed *Mahua* liquor in the banana orchard of Ganesh Sharma. The informant went there. On seeing the police party, the accused persons fled away. The Chowkidar Amar Rai disclosed the name of petitioner and Shiv Narayan Chaudhary.

From seizure list it appears that 3 litres of *Mahua*



liquor has been recovered from banana orchard of Ganesh Sharma. There is no recovery of illicit liquor from possession of the petitioner.

Petitioner is in custody since 24.3.2019.

Considering the aforesaid facts and circumstances of the case, 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 learned **2nd Additional Sessions Judge-cum-Special Judge, Siwan,** in connection with **Basantpur P.S. Case No. 81 of 2018,** subject to the condition that both the bailors will be the close relatives of the petitioner.

It is mentioned in paragraph-3 of the bail petition that one Excise case of Basantpur P.S. Case No. 277 of 2017 is pending against the petitioner. **Petitioner will file affidavit at the time of furnishing bail bonds that he will not indulge in such type of activity in future, failing which, the bail bonds of the petitioner in the instant case will liable to be cancelled.**

S.Ali/-

(Sanjay Priya, J)

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