

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25223 of 2019**

Arising Out of PS. Case No.-77 Year-2019 Thana- DAUDNAGAR District- Aurangabad

Dharmendra Choudhary, Male, aged about 25 years, Son of Malu Choudhary
Resident of Village - Manar, P.S. - Daudnagar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Daudnagar P.S. Case no. 77 of 2019 under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

55 litres of country made liquor is said to have
been recovered from the motorcycle and one accused namely
Anil Kumar was apprehended while other managed to escape.
Apprehended accused disclosed the name of the petitioner as his
fleeing accomplice in the occurrence.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. He has no



concern either with the seized liquor or motorcycle in question. He was not apprehended on the spot. He has been falsely implicated in the case by the said Anil Kumar who is having land dispute with the petitioner. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VII cum Special Judge (Excise), Aurangabad in connection with Daudnagar P.S. Case no. 77 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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