

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27268 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- HUSSAINGANJ District- Siwan

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Ajay Kumar Choudhary, Male, aged about 38 years, S/o Harendra Chaudhary,
R/o Mohalla/Village- Gopalpur, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Ms.Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Siwan Hussainganj P.S. Case No. 16 of 2019 registered for
the offences under Sections 30(a), 36 and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has been falsely implicated in this
case.

The allegation against the petitioner is that the
informant in presence of two independent witnesses searched
the house and 46.620 liters wine has been recovered from the
safety tank near the house of the petitioner.

Learned counsel for the petitioner has submitted that



the seizure list is not in accordance with law. There is no recovery from the conscious possession of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six 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 Additional Sessions Judge II, Siwan in connection with Siwan Hussainganj P.S. Case No. 16 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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