

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33062 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Rajeev Chaudhary, son of Late Baleshwar Chaudhary, Resident of Village -
Harpur Alloth, P.S.- Musrigharari, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Abhay Shankar Singh, Advocate
For the Opposite Party : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with Excise
Case No.105 of 2019 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

It is submitted by the learned counsel for the
petitioner that the alleged recovery of 20.160 liters of foreign
liquor was not made from conscious possession of the petitioner.
Admittedly, the recovery was made from toilet of the house,
which is occupied by several other co-sharers. It is further
submitted that the petitioner has got no criminal antecedent and
having got roots in the society, he is not likely to abscond or
tamper with the evidence.

Learned counsel for the State has opposed the



application for grant of bail to the petitioner.

Considering the nature of the offence and the submissions made above, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Excise Case No.105 of 2019 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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