

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 34740 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- JAYNAGAR District- Madhubani

SURENDRA CHOUDHARY Son of Late Ayodhya Choudhary Resident of
Kamla Bari, P.S.- Jainagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Ahtasham Ali Khan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 13.02.2019 in a case registered for the offences punishable under Sections 272 and 273/34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the possession of the petitioner and co-accused Ravindra Chaudhary, 429 litres of Nepali liquor were recovered.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner has been roped in the present case. Moreover, similarly situated co-accused, Rabindra Yadav has been granted bail by a Co-ordinate Bench of this Court, vide order dated 01.05.2019, passed in Cr. Misc.



No. 28949 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been made from the possession of the petitioner and he is named in the FIR.

Considering the nature of recovery, similarly situated co-accused person being granted bail by a Co-ordinate Bench of this Court and period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jainagar P.S. Case No. 66 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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