

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34678 of 2019**

Arising Out of PS. Case No.-183 Year-2019 Thana- BANKA District- Banka

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FAGU CHOUDHARY S/o Late Sattan Choudhary R/o village- Balarpur, P.S.-
Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Anant Kumar 1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 29-05-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 21.03.2019
in a case registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the possession of the petitioner, 12
litres of toddy and cash amount of Rs. 160/- were recovered.

It is submitted by learned counsel for the petitioner that the
petitioner has maliciously been framed in the present case. 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 the recovery has been made
from the possession of the petitioner and the petitioner had
twice moved before the learned Sessions Judge with prayer for



grant of bail, concealing the fact of filing of earlier bail application.

Considering the nature of recovery, 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 2nd Additional Sessions Judge, Banka in connection with Banka P.S. Case No. 183 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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