

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36423 of 2019

Arising Out of PS. Case No.-204 Year-2019 Thana- LAKHISARAI District- Lakhisarai

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BIVASH CHANDRA CHOUDHARY Son of Late Sukhdeo Choudhary
Resident of House No. - 7, Road No.- 03, Vastu Vihar, Kushmaha, P.S.-
Jasidih, Distt - Deoghar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-08-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Lakhisarai P.S.Case No.204/19 registered for offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a), 32(ii) of the Bihar Prohibition and Excise Act, 2016.

Prosecution story is that the police recovered one Mahendra TUB 300 vehicle in the abandoned condition but the lock was opened and there is recovery of 99 ltrs. of liquor from the vehicle. It further appears that the petitioner happens to be owner of the vehicle.

Submission of the learned counsel for the petitioner is that as a matter of fact he is a school teacher at Pakur and the



vehicle was taken by his driver for some some personal purpose on 8.9.2015 but he has not returned the vehicle, as such the son of the petitioner has lodged a case at Jasidih Police Station on 12.3.2019 and on the day of occurrence the petitioner was present in the school which will appear from Annexure-5.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below on 26.8.2019 and pray for regular bail, which will be considered by the learned Special Judge on the above submission and apart from that considering that he is a government servant and going to retire in this year itself, he will pass an appropriate order on the same day.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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