

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 51896 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- SALAIYA District- Aurangabad

Akhilesh Chaudhary (Male), aged about 28 years, Son of Ram Jatan Chaudhary, Resident of Village - Sihuli, Dargah, P.S.- Rafiganj, Dist.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Leelawati Kumari

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioner as well as the learned APP.

Petitioner seeks bail in a case registered under Sections 30 (a) of Bihar Prohibition and Excise Act, 2018.

300 liters of country made Mahua is alleged to have been recovered from Bolero Car. It is submitted that the very fact that the vehicle in question bearing Registration No BR 2E 6756, was standing in the petitioner's name, is prima facie sufficient to doubt the case of the prosecution since the petitioner cannot be said to have any knowledge of the country made liquor being carried in the vehicle which was in his name. Allegations are highly improbable and far fetched.

Having considered the submission, prayer for bail is



allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII -cum- Special Judge, Excise Act, Aurangabad in Salaiya Police Station Case No 45 of 2019 with the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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