

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75477 of 2019

Arising Out of PS. Case No.-255 Year-2016 Thana- RAJAOLI District- Nawada

Vijay Choudhary S/O Late Kishun Choudhary Resident of Village- Dhamni,
P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of bail in a case registered for the offence under section
30(a) of the Excise Act.

As per the allegation in the FIR, 30 litres of country
liquor was recovered from the agricultural land adjacent to the
house of this petitioner.

It is submitted by learned counsel for the petitioner
that no recovery as alleged has taken place from his person or
possession, he has no concern either with the recovered liquor
or with the land from which the liquor was recovered, he is in
custody since 12.07.2019 and charge sheet has been submitted
in this case.



The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the alleged recovery has taken place from an open field not belonging to the petitioner, he is in custody since 12.07.2019 and charge sheet has been submitted in this case, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II - cum-Spl. Judge, Nawada in connection with Rajauli P.S. Case No. 255 of 2016.

(Partha Sarthy, J)

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