

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76184 of 2019

Arising Out of PS. Case No.-88 Year-2019 Thana- KIUL District- Lakhisarai

RAJ KUMAR CHAUDHARY Son of Kishori Chaudhary Resident of Village
- Goddih, P.S.- Kuil, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, 13 litres of country liquor is said to have been recovered from the house of the petitioner. It is further stated that no other member of the family was found in the house.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place from the house of the petitioner. Neither the petitioner was caught at the place of occurrence nor any member was found in the house of the



petitioner. This itself goes to show that the petitioner has been framed in the case showing recovery of illegal liquor. The petitioner has no criminal antecedent and is a student preparing for competitive examination.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, let the petitioner above named be enlarged on bail, in the event of his arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II and cum Special Excise Judge, Lakhisarai in connection with Kiul P.S. Case No. 88 of 2019 (District- Lakhisarai) subject to the conditions stipulated under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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