

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77252 of 2019

Arising Out of PS. Case No.-141 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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Ajay Choudhary @ Musho Choudhary @ Muso Chaudhary, Son of Late Jagdish Choudhary Resident of Village - Chandani Chowk, Ward No. 20, Muswagali, P.S.- Sadar, Distt - Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is languishing in custody since 24.10.2019 in a case registered for the offence punishable under Section 47(a) of Excise Act.

It is alleged that 163.200 litres of illicit country made liquor has been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house of the petitioner and thereafter, the petitioner has been roped in seven other cases of similar nature, but the petitioner is on bail in those cases.

Learned APP submits that the recovery has been made



from the house of the petitioner.

Considering the fact that the petitioner is accused in seven other cases of similar nature, this Court is not inclined to release the petitioner on bail.

However, considering the fact that the recovery has been made from the joint family house of the petitioner, let the above named petitioner be released on bail **after completing 90 days in custody**, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II -cum- Special Judge, Excise Act, Saharsa in connection with Cri. Misc. (Excise) Case No. 141 of 2019, arising out of Misc. No. 105 of 2016.

(Dinesh Kumar Singh, J)

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