

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.276 of 2019

Arising Out of PS. Case No.-1234 Year-2018 Thana- SASARAM NAGAR District- Rohtas

Surendra Choudhary @ Kallu Pasi son of Lakshman Choudhary, Resident of Village- Kadirganj, Police Station- Sasaram (Darigaon), District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Sasaram (Darigaon) P.S. Case No. 1234 of 2018 registered for offences punishable under sections 30 (a)/35 of the Bihar Prohibition and Excise Act, 2016.

The Police official lodged the present case that ten litres of illegal mahua liquor has been recovered from a pond situated at the back side of the house of the petitioner.

The learned counsel for the petitioner submits that petitioner has no concern with the said liquor, has wrongly been implicated in the present case and no case of excise is made out against the petitioner having clean antecedent.



Looking to the quantity of liquor and the antecedent of petitioner, his prayer for bail is allowed he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 2nd Additional District and Sessions Judge-cum-Special Judge (Excise Act), Rohtas at Sasaram in connection with Sasaram (Darigaon) P.S. Case No. 1234 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail.

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(Shivaji Pandey, J)

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