

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83118 of 2019**

Arising Out of PS. Case No.-402 Year-2019 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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Ramashray Chaudhary @ Ramashry Choudry (Male), aged about- 45 years,
son of Late Jugeshwar Chaudhary @ Yugesar Chaudhary @ Jugeshwar
Choudhary, resident of village- Kazifatuchak, P.S.- Barbigha, Distt.-
Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 20-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Case No.402 of 2019 dated 24.11.2019 instituted under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

3. The allegation against the petitioner is that he was
apprehended with two litres of countrymade liquor.

4. Learned counsel for the petitioner submitted that
the countrymade liquor, that too, of two litres, even at best, was
only for self consumption. It was submitted that the petitioner is
in custody since 24.11.2019.

5. Learned APP did not controvert the fact that only



two litres countrymade liquor has been recovered.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional District & Sessions Judge, Sheikhpura, in Excise Case No.402 of 2019, subject to the conditions (i) that one of the bailors shall be close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off.

(Ahsanuddin Amanullah, J)

J. Alam/-

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