

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 1722 of 2020

Arising Out of PS. Case No.-783 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Ravi Choudhary @ Rabi Choudhary @ Ravi Kumar Choudhary Son of Bhola
Choudhary Resident of Village - Kali Thakur Lane Deepnagar, P.S. - Jogsar,
District – Bhagalpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Pushpa Sinha, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 30a Bihar Prohibition and
Excise Act.

8.760 liters of foreign liquor has been recovered from
the house of co-accused Manoj Choudhary.

Learned counsel for the petitioner submits that the
petitioner is the brother of said Manoj Choudhary and nothing
has been recovered from his possession who lives separately.
Provision of section 100 Cr.P.C. has not been followed at the
time of search and seizure. Petitioner has got no criminal
antecedent.

Considering the facts of the case, let the petitioner,
above named, in the event of arrest/surrender before the Court



below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge cum Special Judge, Excise Act Bhagalpur in Kotwali (Jogsar) Police Station Case No. 783/2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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