

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4115 of 2020

Arising Out of PS. Case No.-113 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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KRISHNA CHAUDHARI @ KRISHNA KUMAR CHAUDHARI son of Sri
Vishesar Chaudhari @ Visheshwar Chaudhari @ Badhu Chaudhari Resident
of Village - Sikraul, P.S. - Rajpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Choubey

For the Opposite Party/s : Mr.Kanhaiya Kishore ,App

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-03-2020

Heard learned counsel for the parties.

The petitioner apprehends his arrest in Case No.
113(O) of 2019 registered for the offence under Section 30A of
Bihar Prohibition and Excise (Amendment) Act 2018.

3965 litres foreign liquor is said to have recovered
from the bank of river Karmnasha.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to enmity.
He further submits that nothing has been recovered from the
possession of the petitioner. It is submitted that petitioner is not
named in case and similarly situated co-accused has already
been granted bail by this Court vide order dated 29.02.2020
passed in Cr. Misc. 4930 of 2020. It



is further submitted that mandatory provisions under Section 100 Cr.P.C has not been followed with regard to seize and Seizure. Petitioner has clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II cum Special Judge, Excise, Buxar in connection with Case No. 113(O) of 2019, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Prabhat Kumar Singh, J)

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