

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7258 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- WARISLIGANJ District- Nawada

SACHIN CHOUDHARY Son of Krishna Choudhary Resident of Village
Mehauddipur, P.S. - Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-02-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with
Warisaliganj P.S. No. 205 of 2019 for the offence under section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner nothing was recovered from the conscious possession
of the petitioner.

This is the seventh case in which the petitioner has
been made accused under Excise Act.

In the instant case total 40 liters of Mahua wine was
seized and the utensils used for preparation of liquor was also
seized.

Learned counsel for the petitioner submits that



recovery was made from the joint house occupied by uncle and brother of the petitioner and not from the exclusive possession of the petitioner.

The petitioner is in custody since 17.12.2019.

Considering the fact that nothing was recovered from the exclusive possession of the petitioner, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II cum Special Judge, Nawada, in connection with Warisaliganj P.S. Case No. 205 of 2019 subject to the condition that if the petitioner is found involved in such similar cases in future, the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Anil Kumar Upadhyay, J)

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