

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9154 of 2020**

Arising Out of PS. Case No.-157 Year-2019 Thana- BATHNAHA District- Sitamarhi

RAJU CHAUDHARY @ RAJU KUMAR Son of Raj Kishore Chaudhary @
Raj Kumar Chaudhary Resident of Village- Ambedkar Chowk Ward No. 2 @
Ambedak Chowk Ward No. 2, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Nand Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 28-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414, 413 & 418 of the Indian Penal Code and Section 30 (a), (b) & (c) of the Bihar Prohibition and Excise Act, 2016.

65.550 liters of foreign liquor is said to have been recovered from three different vehicles and the drivers of the vehicles were arrested who disclosed the name of the petitioner as one of the purchasers of the liquor.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. The



petitioner has no concern either with the seized liquor or any trade of liquor or the vehicle in question. The vehicles in question are not hailing to the petitioner. Petitioner was not apprehended at the spot. He has been falsely implicated in the case on the confessional statement of the driver of the vehicle in question which has no evidentiary value in the eye of law. No offence under Excise Act has been made out against the petitioner. He has no criminal antecedent.

Petitioner is agreed to deposit Rs.15,000.00 (Rupees Fifteen Thousand) in the Juvenile Justice Fund of the State Social Welfare Department, bearing Saving Account No.35094613009 of the State Bank of India.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Sitamarhi in connection with Bathnaha P.S. Case No. 157 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of
Rs.15,000.00 (Rupees Fifteen Thousand) in the Juvenile Justice
Fund of the State Social Welfare Department.

(Anjani Kumar Sharan, J)

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