

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9162 of 2020

Arising Out of PS. Case No.-263 Year-2019 Thana- SUPPI District- Sitamarhi

SHYAM CHAUDHARY Son of Sonelal Chaudhary Resident of Village -
Maniyari, P.S.- Suppi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate.

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

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 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

60 liters of Nepali Saufi wine is said to have been recovered from the bags and petitioner and another accused person managed to escape.

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 place of recovery. Petitioner was not apprehended at the spot. He has been falsely implicated in the case on disclosure of his name by the chaukidar due to enmity. No offence under Excise Act has been made out against the petitioner. He has no criminal antecedent.

Petitioner is agreed to deposit Rs.10,000.00 (Rupees Ten 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 A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Suppi P.S. Case No. 263 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.10,000.00 (Rupees Ten Thousand) in the Juvenile
Justice Fund of the State Social Welfare Department.

(Anjani Kumar Sharan, J)

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