

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19992 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- BYPASS District- Patna

SURENDRA CHAUDHARY Son of Jhagu Chaudhary @ Jagu Chaudhary
Resident of Mohalla- Bahari Dhawalpura, Police Station- Bypass, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Special Case No. 2118 of 2020, Bypass P.S. Case No. 67 of 2020, disclosing offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

It is alleged in the FIR that 95 liters of toddy was recovered from the house of co-accused Parshuram Mahto. Allegedly, the petitioner and other persons named in the FIR were found fleeing from the place from where recovery was made but they were apprehended. It is the case of the prosecution that the petitioner and other two co-accused persons were found to have consumed liquor.



Learned counsel for the petitioner has submitted that the petitioner is in custody since 02.03.2020 and he does not have any criminal antecedent. He has further submitted that since recovery has been made from the house of co-accused Parshuram Mahto, implication of the petitioner is not justifiable.

Considering the above submission and the fact that the petitioner is in custody since 02.03.2020, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Special Judge Excise, Patna in Special Case No. 2118 of 2020, Bypass P.S. Case No. 67 of 2020.

(Chakradhari Sharan Singh, J)

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