

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23591 of 2020

Arising Out of PS. Case No.-80 Year-2020 Thana- AKBARPUR District- Nawada

SHYAMDEV CHOUDHARY Son of Late Prayag Choudhary Resident of
Village - Sanokhara, P.S.- Akbarpur, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh, Adv.

For the Opposite Party/s : Smt. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Devendra Prasad Singh, learned counsel
for the petitioner and Smt. Gulnar Begum, Additional Public
Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with
Akbarpur PS Case No. 80/2020 registered for the offence
punishable under Sections 30(a)/30(d) of Bihar Prohibition &
Excise Act 2016.

The allegation against the petitioner as per First
Information Report is that the police on the basis of confidential
report proceeded towards the place of occurrence and upon
seeing the police party two persons tried to flee away and
succeeded in the same. The police recovered 35 litres of Mahua
wine from the bank of river. The name of petitioner along with
others have been disclosed by the villagers to the police.



Learned counsel for the petitioner submits that the petitioner has not committed offence in the manner alleged and he has falsely been implicated in this case on the basis of statement made by the co-villagers. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner inasmuch as from the perusal of the FIR and the seizure list, it would be evident that illicit liquor has been recovered from an open place which is accessible to all and sundry.

Learned counsel for the petitioner further submits that similarly situated co-accused, namely, Raghun Chaudhary has been granted bail by this court in Cr. Misc. No. 22666/2020. The petitioner is in custody since 23.05.2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SHYAMDEV CHOUDHARY be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District & Sessions Judge-II-
cum-Special Judge, Nawada in connection with Akbarpur PS
Case No. 80 of 2020.

It is made clear that at the time of furnishing bail
bonds, all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

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