

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23617 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- AKBARPUR District- Nawada

SHYAMDEV CHOUDHARY S/o Late Prayag Choudhary Resident of
Village- Sanokhara, P.S.- Akbarpur, Distt- 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. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Devendra Prasad Singh , learned counsel
for the petitioner and Mr. Ataur Rahman, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Akbarpur P.S. Case No. 79 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that Police on the basis of secret
information that Mahua liquor was being prepared proceeded
towards the place of occurrence and upon seeing the Police
party two persons tried to flee away and succeeded in the same
however, Police recovered a total quantity of 20 liters of Mahua
liquor from the burning Ghat near the bank of the river.

Learned counsel for the petitioner submits that
petitioner was arrested in an another case being Akbarpur P.S.
Case No. 80 of 2020 and from that case he has been remanded



in the present case on the basis of disclosure of his name allegedly made by co-villagers. Learned counsel for the petitioner further submits that co-accused Raghun Chaudhary has been granted bail by this court in Cr. Misc. No. 22085 of 2020 and the petitioner is in custody since 08.06.2020.

Having regard to the submissions made by the parties, taking into consideration the materials available on record, the fact that illicit liquor has been recovered from an open space accessible to all and sundry and further 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, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Nawada in connection with Akbarpur P.S. Case No. 79 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.

praful/-

(Anil Kumar Sinha, J)

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