

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3469 of 2020

Arising Out of PS. Case No.-150 Year-2018 Thana- PHULWARIA District- Begusarai

Sudhanshu Kumar Son of Dinesh Chaurasiya @ Hareram Chaurasiya
Resident of Village- Baghi, Ward No. 25, Suhirdnagar, P.S.- Town (Lohiya
Nagar O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 10-06-2020 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Phulwaria P.S. Case No. 150 of 2018 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, total 16.20 liters of foreign liquor are said to have been recovered from a bush behind the cow-shed of co-accused Vicky Kumar and he disclosed the name of petitioner, as the person, who is indulged in the business of illegal liquor.

It is submitted on behalf of petitioner that petitioner 's name has come on the confession of co-accused Vicky Kumar. Nothing has been recovered either from the possession of



petitioner or from his house. Section 100 Cr.P.C. has not been followed with respect to search and seizure. It is fairly submitted on behalf of petitioner that apart from the present case, petitioner is accused in other three cases of similar nature, in which, he is on bail.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be enlarged 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 Additional Sessions Judge -II cum Special Judge, Excise Act, Begusarai in connection with Phulwaria P.S. Case No. 150 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C. with further condition that ***if again petitioner is made accused in similar nature of case, his bail-bond shall stand cancelled.***

(Prabhat Kumar Singh, J.)

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