

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16830 of 2021

Arising Out of PS. Case No.-550 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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SADHIN CHOUDHARI Son of Mahesh Choudhari Resident of Village -
Kishori Nagar, P.S.- Sita Ram Dera, Distt.- Tara (Jamshedpur).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha. Adv.

For the Opposite Party/s : Mr.Md.Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Excise P.S. Case No.550 of 2020 (CIS 550/2020) registered for the offence punishable under Sections 30(a), 56(b) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

Altogether 990 liters of foreign liquor is said to have been recovered from a Tata Ace Magic XL. Petitioner was



apprehended at the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the F.I.R. It is further submitted that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. Petitioner has been falsely implicated in this case due to high handedness of police officials. Petitioner is not the owner of the vehicle rather he is just a driver, who has no concern with the materials loaded on the said vehicle. Petitioner has no criminal antecedent and has been languishing in custody since 20.12.2020.

Petitioner is agreed to deposit a sum of Rs. 15,000.00 (Rupees Fifteen Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise, Gaya in



connection with Excise P.S. Case No.550 of 2020 (CIS 550/2020) with the following conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.15,000.00 (Rupees Fifteen Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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