

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39625 of 2020

Arising Out of PS. Case No.-238 Year-2020 Thana- SANDESH District- Bhojpur

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Baliram Choudhari, aged about 50 years, Male, Son Of Late Deo Nath Choudhary, Resident of Village- Sandesh, Police Station- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Advocate
For the State : Mr.Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-02-2021 Learned counsel for the petitioner is permitted to remove the defect within four weeks.

Learned counsel for the petitioner is permitted to correct the prayer portion of the application in course of the day.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Sandesh P.S. Case No.238 of 2020 registered for the offences punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2018.

Allegation against the petitioner is that 55 liters of country made liquor has been recovered from the mango orchard.



Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather 55 liters of country made liquor has been recovered from the mango orchard. Learned counsel for the petitioner further submits that the said mango orchard does not belong to the petitioner. Learned counsel for the petitioner further submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner further submits that the petitioner has got no any criminal antecedent. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 24.08.2020.

Learned A.P.P. for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs.5,000/- (Rupees Five 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.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned IVth Additional Sessions Judge cum Special Judge, Excise,



Bhojpur at Ara in connection with Excise Case No.1067 of 2020
arising out of Sandesh P.S. Case No.238 of 2020.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.5,000/- (Rupees Five Thousand) in the PM Cares fund.

The court below is directed to verify the criminal
antecedent before granting the bail.

(Anjani Kumar Sharan, J)

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