

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2311 of 2021

Arising Out of PS. Case No.-272 Year-2020 Thana- NAWADA MUFFASIL District- Nawada

SOHAR CHAUDHARY S/o Kailu Chaudhary R/o Village- Amipur, P.S.-
Mufassil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertake to remove the defects within three 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 a case registered for the offence punishable under Sections 30(a)/30(d) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that petitioner has opened a factory in his house for construction of illicit country made liquor. On search, 1000 empty bottle of country made Champion Brand liquor of 300ml, 3 punching machine, Gas Cylinder, 12 bottles of 300ml Champion Brand country made liquor 2475 piece



rapper and other incriminating articles were recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is a landless labourer and had gone to work in a brick kiln situated in West Bengal with entire family member to earn his livelihood. He submits that house of the petitioner is a mud house and without any door fittings and taking advantage of the situation as none of the family members were present, the same was used by unknown persons. He submits that there is no recovery from the conscious possession of the petitioner rather 12 empty bottles is said to have been recovered from the house. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 11.10.2020.

Petitioner is agreed to deposit a sum of Rs. 5000.00 (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.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties



of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Muffasil P.S. Case No. 272 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5000.00 (Rupees Five Thousand) in the PM Cares Fund.

(Anjani Kumar Sharan, J)

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