

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7320 of 2021**

Arising Out of PS. Case No.-107 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

Sanjay Choudhary @ Chhotu Chaudhary, Son of Karu Chaudhary, Resident  
of Village - Ishakchak Pasi Tola, P.S. - Ishakchak, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      25-06-2021      The matter has been taken up today for consideration  
through video conferencing.

The learned counsels are appearing and making  
submissions from their residence. The Court Master and  
Secretary are also part of this virtual Court proceedings from  
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in connection with  
Ishakchak P.S. Case No.107 of 2020 registered for the offence  
punishable under Section 30(a)/38(d) of the Bihar Prohibition  
and Excise Amendment Act, 2016.

Since 24.11.2020 the petitioner in in custody. There  
is alleged recovery of 177.820 litres illicit liquor from the house



of co-accused Manoj Kumar Choudhary. One Gama Choudhary has also been arrested from the place. Petitioner's name has come in course of statement of the apprehended co-accused that he was also habitually indulging in illicit trade of liquor. He is accused in one more case since before. There is no recovery from the petitioner's possession of any incriminating material.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional District & Sessions Judge-cum-Special Judge, Excise, Bhagalpur, in connection with Ishakchak P.S. Case No.107 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

**(Madhuresh Prasad, J)**

PNM

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