

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17513 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- CHANDI District- Bhojpur

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SANJAY CHAUDHARY Son of Shivjee Chaudhary Resident of Village -
Parasiya, P.S.- Jagdishpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Chandi P.S. Case No. 29 of 2022 registered for the alleged offences under Section 30(a) of the Bihar Prohibition And Excise Act, 2018.

As per prosecution case, on secret information, police made recovery of 177.750 liters of India made foreign liquor from behind the house of co-accused Prabhanjan Singh. The petitioner was apprehended from the spot.

Learned counsel for the petitioner submits that the

petitioner is innocent and he is merely the servant of co-accused of Prabhanjan Singh and this fact has also come up in the FIR. The petitioner has nothing to do with the allegedly recovered liquor. Nothing incriminating has been recovered from the conscious possession of this petitioner. He is merely a servant and he has no knowledge about storage of the liquor in the ruins behind the house of co-accused. Learned counsel further submits that charge sheet has been submitted in this case and the petitioner is in custody since 01.02.2022.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submission made hereinabove and considering the fact that charge sheet has been submitted in this case and the petitioner is in custody since 01.02.2022, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Bhojpur at Ara in connection with Chandi P.S. Case No. 29 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be the

person, who has sworn the affidavit.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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