

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19004 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- LODIPUR District- Bhagalpur

ANIL CHOUDHARY Son of Bilash Choudhary Resident of Village -
Agarpur, Choudhary Tola, P.S.- Lodipur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 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 Lodipur P.S. Case No. 19 of 2022 registered for the alleged
offences under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

Allegedly the petitioner was arrested carrying 15 liters of
country made *chulai mahua* liquor.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
Nothing has been recovered from the possession of the petitioner.
Seizure list has not been prepared in accordance with law. Charge



sheet has been submitted in this case and petitioner is in custody since 28.01.2022.

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

Having regard to the submission made on behalf of the parties and considering the quantity of liquor recovered and further considering the fact that the charge sheet has been submitted in this case and the petitioner is in custody for about six months, 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 Special Excise Judge-1st, Bhagalpur in connection with Lodipur P.S. Case No. 19 of 2022, subject to the other conditions as laid down under Section 437(3) of the Cr.P.C.

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) The petitioner will not indulge in similar type of offences in future.



(v) 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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