

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28249 of 2022

Arising Out of PS. Case No.-173 Year-2020 Thana- LADANIA District- Madhubani

RAJU CHAUDHARY @ RAJU KUMAR CHAUDHARY Son of Baidyanath
Chaudhary Resident of Village - Katha, P.S.- Ladaniya, District - Madhubani
... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State
through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ladaniya
P.S. Case No. 173 of 2020 registered for the offence under
Sections 272, 273, 414 and 34 of the Indian Penal Code and
under Section 3(ii) of Foreign Trade (Development and
Regulation) Act, 1992 and under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is



recovery of 36 litres of IMFL/country made liquor from the house.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor is made in absence of petitioner from his house, which is jointly occupied. It has been submitted that investigation is complete, for which, charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor has not been made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ladaniya P.S. Case No. 173 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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