

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28984 of 2022

Arising Out of PS. Case No.-89 Year-2022 Thana- KUDHNI District- Muzaffarpur

Jhari Chaudhary S/o Late Hari Vanshi Chaudhary Resident of Village- Gausy Khan, Police Station- Dudhani (Fakuli O.P.) in the District of Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Ms. Dr. Indihar Kumari, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioner and Ms. Dr. Indihar Kumari, learned A.P.P for the State through virtual Court proceedings.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case registered for the offences punishable under Section 272 and 273 of Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 70 liter illicit toddy from a shop.

Learned counsel for the petitioners submits that the petitioner is innocent and neither he was selling making any toddy nor he was selling any illegal toddy. It is submitted that



mandatory provision of Sub-section 2 of Section 74 and Section 82 of the Bihar Prohibition and Excise Act with respect to search and seizure have not been followed. It is further submitted that the petitioner is in custody since 25.02.2022 and are persons with clean antecedent.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kudhani (Fakuli O.P.) P.S. Case No. 89 of 2022.

(Khatim Reza, J)

Gaurav Kumar/-

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