

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43148 of 2022

Arising Out of PS. Case No.-239 Year-2022 Thana- KUDHNI District- Muzaffarpur

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Awdhesh Chaudhary @ Rajeshwar Chaudhary Son of Ram Bibhishan
Chaudhary Resident of Village Kharauna Jay Ram , P.S. Kudhni (Turki OP),
Distt.- Muzaffapur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Ms. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 272 and 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act.

6.750 litres of foreign liquor has been recovered from a
hut situated near the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is also submitted that there is no recovery from the
conscious possession of the petitioner and the said hut does not
belong to the petitioner.



Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.2, Muzaffarpur in connection with Kudhani (Turki O.P.) P.S. Case No.239 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

Sanjay/-

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