

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53974 of 2021

Arising Out of PS. Case No.-304 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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SANJAY CHOUDHARY @ BAIJU CHOUDHARY @ BAIJU KUMAR Son
of Rohit Chaudhari Resident of village - Khanda, P.S. - Sasaram Muffasil,
District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard Mr. Anuj Kumar, learned counsel for the

petitioner and Mr. Md. Iftekhar Mahmood, learned Additional

Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Excise
Case No. 304/2018 registered for the offence punishable under
Sections 30(a) of Bihar Prohibition & Excise Act 2016.

The Excise Officials got an information that some
persons have kept illicit liquor in a ditch near the bank of a
canal in the north side of Khanda Village, proceeded to the place
of occurrence and upon seeing the Excise Officials, the accused
persons started fleeing away after throwing the cartons
containing illicit liquor near the Peepal tree. Altogether 725.760
litres of illicit liquor was recovered from the cartons thrown by



the accused persons as well as from the cartons which were kept in the ditch. It is further alleged that the name of the petitioner and other accused persons has been disclosed by the local farmers.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of disclosure of his name by local farmers. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him. Petitioner is in custody since 12.07.2021, charge-sheet has been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidences.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him, he is in custody since 12.07.2021, charge-sheet has been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner subject to the condition that the petitioner will be well represented on each



and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled

Accordingly, let the petitioner, namely, SANJAY CHOUDHARY @ BAIJU CHOUDHARY @ BAIJU KUMAR be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Excise Case No. 304/2018.

(Anil Kumar Sinha, J)

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