

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29052 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- BIHPUR District- Bhagalpur

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Bijay Kumar Choudhary @ Bijay Kumar @ Vijay Kumar Son Of Anil Kumar
Choudhary @ Anil Choudhary Resident Of Village Auliyabad P.S Bihpur,
(JHANDAPUR Op) , District Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 18-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Bihpur
(Jhandapur O.P.) P.S. Case No. 331 of 2022 dated 20.06.2022
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
567 litres of country made foreign liquor from the house of this
petitioner but in actual the said house, which is a hut, is in
dilapidated condition and the same is easily accessible to
everyone and the alleged liquor was not recovered from the
conscious possession of this petitioner and he has been
languishing in jail since 22.03.2023 having fair and clean

antecedent and the alleged liquor was recovered in the presence of two police personnel who have been made the witnesses of the alleged seizure and against him, the investigation has been completed.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with **Bihpur (Jhandapur O.P.) P.S. Case No. 331 of 2022** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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