

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53185 of 2023

Arising Out of PS. Case No.-325 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Santosh Kumar Choudhary Son Of Chandeshwar Choudhary @ Chandeshwar
Paswan Resident Of Village - Gadai Sarai, Ward No.11, P.S. - Sadar, District -
Vaishali

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 18.75 liters of foreign liquor
is said to have recovered from the shop of Somnath Chaudhary.
He further submits that the Somnath Chaudhary is brother of
petitioner who runs a shop and this petitioner has no connection
with alleged shop. He submits that on the confessional statement
of the co-accused Somnath Chaudhary, petitioner has been made



accused in this case. He further submits that there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner has got one criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Considering the facts and circumstance of the case, let the above named petitioner, 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 the learned court below where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 325 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(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.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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