

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58642 of 2023

Arising Out of PS. Case No.-590 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

Ashok Chaudhary S/O Rajaram Chaudhary Vill- Banjariya, Ps- Muffasil,
Siwan, Dist- Siwan.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 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. As per the prosecution, total recovery of 15 liter *desi mahua* wine is the subject matter of the present case.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. Counsel for the petitioner submits that from the seizure list it is clear that the said recovery was made from a strange place. He submits that the name of the petitioner has been figured in this case by virtue of statement made by the persons present at the place of occurrence, as well as, upon secret information made. He submits that

antecedent of the petitioner is clean and charge-sheet has already been submitted in this case.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Siwan, in connection with Siwan Muffasil P. S. Case No.590 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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