

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69615 of 2023**

Arising Out of PS. Case No.-564 Year-2023 Thana- Excise P.S. District- Aurangabad

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Amar Kumar Choudhari S/O Beeju Choudhary @ Birju Prasad Choudhary
R/O Road No.-4, Near Sai Bihar Colony, Vidya Nagar, Harmu, P.S- Argora,
Distt.- Ranchi(Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aman Vishal
For the Opposite Party/s : Mr.Sucheta Yadav

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-11-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

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

3. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that no incriminating article has been
recovered from the conscious physical possession of the
petitioner rather 20 liters of country liquor is said to have been
recovered from the motorcycle. He submits that the petitioner
is the owner of the seized motorcycle on that basis he has been
made accused in this case. He submits that the petitioner has no



criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyer's Association Welfare/Benevolent fund, Patna, bearing Account No.42335550065, IFSC Code: SBIN0010340, State Bank of India, High Court Campus Branch, Patna.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Excise P.S. Case No. 564 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the



aforesaid amount in the account of Lawyer’s Association
Welfare/Benevolent fund, Patna.

(Anjani Kumar Sharan, J)

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