

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41001 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- DEV District- Aurangabad

Sikendar Chaudhry S/o- Tetar Choudhary Resident of Village- Nakti, P.S.-
Deo, Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Advocate

Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 12-06-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned APP appearing on behalf of

the State.
2. The petitioner seeks bail in connection with

Deo P.S. Case No. 101 of 2024 registered for the

offence under Section 30(a) of the Bihar Prohibition of

Excise Act, 2018.
3. The accused/petitioner is named in the F.I.R.

and is in custody since 26.04.2024.
4. The allegation against petitioner is to have in

possession of 56 litres of country made illicit liquor and



also alleged to be engaged in illegal trade arises out of said illicit liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely with present case. It is further submitted that seized motorcycle from where illicit liquor was recovered is registered in the name of his Bhabhi, namely, Shivani Kumari. It is further submitted that nothing incriminating including liquor alleged to be recovered from the possession of petitioner. It is pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnels, despite of availability of independent witnesses. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above as alleged recovery of illicit liquor not appears to be made from the conscious physical



possession of this petitioner, accordingly, petitioner above named, is directed to be released on bail in connection with Deo P.S. Case No. 101 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Aurangabad/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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