

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53026 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- SIKRAUL District- Buxar

Santosh Choudhary S/o Goval Choudhary R/o vill - Niyazipur Dera, P.S. - Sikraul, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sikraul P.S. Case No. 46 of 2024 dated 05.04.2024, lodged under Sections 30(a), 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, FIR has been lodged against four named accused persons including the present petitioner. Total 15 litres of country made liquor along with the materials by virtue of which liquor used to be prepared have been recovered which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the petitioner has not been apprehended from



the place of occurrence and the name of the petitioner has been figured in this case only by virtue of disclosure of apprehended accused person. Counsel submits that co-accused person has been granted bail by this Court *vide* order dated 30.05.2024 passed in Cr. Misc. No.40536 of 2024.

5. Learned counsel for the petitioner further submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him which is not of excise act in which he is on bail. The petitioner is in custody since 09.05.2024 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case, let the petitioner above named be granted bail, but only after framing of charge, if not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Court No.2, Buxar in connection with Sikraul P.S. Case No. 46 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.



8. Pending case against the petitioner is as follows:-
(I)- Sikraul P.S. Case No. 18 of 2024.

Divyansh/- **(Dr. Anshuman, J)**

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