

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58428 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- Excise P.S. District- Khagaria

Baiju Choudhary SON OF LATE JAGDISH CHOUDHARY VILLAGE-
KAJICHAK, WARD NO. 02, PS- MAHESH KHUNT, DIST- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise P.S. Case No. 32 of 2024 dated 02.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 10 litres of illicit country made liquor was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has five criminal antecedents as stated in



para 3 of the bail petition. The petitioner is in custody since 03.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Excise P.S. Case No. 32 of 2024, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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