

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71324 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- MANSURCHAK District- Begusarai

Vishesar Chaudhary @ Visheshwar Choudhary S/o Late Jamun Chaudhary
R/o Village- Kustoli, ward no 14, Ps- Mansoorchak, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Ms. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-10-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases and allegation is of recovery of 45 liters of toddy from hut of the petitioner.
4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even the alleged recovery is from a house and not from a hut and after amendment in the Excise Act in the year 2018, the concept of deemed possession and presumed offender has been done away



with. It is also submitted that petitioner is in custody since 09.09.2024.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mansoorchak P.S. Case No. 43 of 2024.

(Satyavrat Verma, J)

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