

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4512 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- Lalmatia District- Bhagalpur

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Anoj Choudhary S/O Late Ramdeo Choudhary R/O Vill- Pasi Tola, P.S.-
Lalmatiya, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S.M. Ashraf, Sr. Advocate
		Mr. Rana Hason, Advocate
		Mr. Homa Yunus, Advocate
For the Opposite Party/s :		Mr. Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Lalmatiya PS Case No. 91 of 2024 instituted for the

offences under Sections 30(a), 37 and 41(1) of the Bihar

Prohibition and Excise Act.

3. The prosecution case, in short, is that total 17

litres of liquor was recovered from the house of the

petitioner.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

the present case. No incriminating material has been



recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovery is made from the joint house of the petitioner where the other family members also reside. The petitioner is in custody since 14.11.2024 and has got six criminal antecedents in which he is on bai. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge if not already framed* on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lalmatiya PS Case No. 91 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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