

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74725 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- BANGAWON District- Saharsa

Govardhan Choudhary @ Sanjay Passi @ Sanjay Chaudhari S/o Thakkan Passi @ Thakkan Chaudhary R/o village-Bangaon ward no.05, P.S.-Bangaon, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-01-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Bangaon P.S. Case No. 31 of 2024 lodged on 05.04.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution, FIR has been lodged against one named accused person (petitioner), one unknown person and driver of vehicle. Total recovery of 15 litres of illicit country made liquor has been made 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 said recovery of illicit liquor has neither been made from the conscious possession of the petitioner nor from his house, rather, it has been recovered from the bush not



situated near the house of the petitioner. Counsel submits that compliance of section 100 of Cr.P.C. has not been made. Counsel further submits that criminal antecedent of the petitioner is not clean as there is one criminal case pending against him in which he is on bail.

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

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail and on being satisfied by the Trial Court that the petitioner is not absconding in Bangaon P.S. Case No.152 of 2022, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge (Excise), Saharsa in connection with Bangaon P.S. Case No. 31 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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