

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.35523 of 2019**

Arising Out of PS. Case No.-38 Year-2019 Thana- KHODAWANDPUR District- Begusarai

GOVIND CHOUDHARY Son of Gopal Chaudhary Resident of Village and  
P.S. - Khodabandpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Sinha  
For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY  
ORAL ORDER**

2      30-05-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner is in custody in connection with  
Khodawandpur P.S. Case No. 38 of 2019, registered for the  
offence punishable under Sections 272, 273 of the Indian Penal  
Code and Section 30 (a) of the Bihar Prohibition and Excise  
Act, 2016.

Learned counsel for the petitioner submits that in the  
instant case total 9.990 liters foreign liquor was recovered.  
Allegation against this petitioner is that he is owner of the  
Govind Hotel wherefrom the alleged liquor was seized. He  
further submits that nothing has been recovered from the  
conscious physical possession of the petitioner. Learned counsel  
for the petitioner submits that petitioner is in custody since



30.04.2019.

Considering the fact that nothing has been recovered from the conscious possession of the petitioner rather from the hotel which belongs to the petitioner, the Court is inclined to release the petitioner on bail. Let the petitioner named above be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned 2<sup>nd</sup> Additional Sessions Judge-cum Special Judge, Excise, Act Begusarai in connection with Khodawandpur P.S. Case No. 38 of 2019, subject to condition that one of the bailors should be elected representative of the local body.

**(Anil Kumar Upadhyay, J)**

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