

In the Court of Addl.District & Sessions Judge-II,Gopalganj

Bhorey P.S.Case No. 103/2020

O r d e r

20-04-2020

Bail petition dated 18-04-2020 filed on behalf of the petitioner Bhola Choudhary, who is in custody since 11-04-2020 in connection with Bhorey P.S.Case No. 103/2020 U/s 30(a) of Bihar Prohibition and Amendment Excise Act 2018 has been pressed today.

Learned counsel for the petitioner submitted through video conferencing that the petitioner is quite innocent and has falsely been implicated in this case. No bail petition either regular or anticipatory has been filed, moved or rejected by this Court or by any other superior Court. Learned counsel further submitted that nothing has been recovered from the possession of the petitioner and the petitioner is in custody since 11-04-2020 and prayed for bail.

On the other hand learned Spl. P.P. opposed the prayer for bail.

The prosecution case, in brief is that the informant of this case Surendra Rai A.S.I. Bhorey P.S. has given a written petition to the S.H.O. Bhorey, stating therein that on 10-4-2020 he along with other police forces reached at village Luhusi and saw several people assembled there and they told that Amresh Singh, Mannu Singh and Bhola Choudhary are doing business of liquor. On the basis of said information search was started in presence of villagers and total 00.400 ml illegal wine has been recovered behind the house of Amresh Singh. Bhola Choudhary was arrested and a seizurelist was prepared in this regard and copy of seizurelist was handed over to the arrested accused.

Heard both sides through video conferencing and perused the case record as well as seizurelist. From perusal of seizurelist it appear that recovery of illegal wine is 0.400 ml and the petitioner is in custody since 11-04-2020.

Considering the facts & circumstances and keeping in view the quantity of recovery as well as period of detention, the petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-with two sureties of the like amount each.

In the meantime P.R.Bond may be filed and after restoration of normal situation all original document with bail bond shall be filed.

Original wakalatnama has been filed. Keep it on the record. (Dictated)

A.D.J.II,