

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41658 of 2017

Arising Out of PS. Case No.-112 Year-2017 Thana- BARBIGHA District- Sheikhpura

Mahesh Chaudhary , S/o late Udit Chaudhary , R/o Narayanpur, P.S. Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar

For the Opposite Party/s : Sri Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-09-2017 Heard Sri Dinkar Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, who is in custody since 29.07.2017 in Excise Case No. 310 of 2017 [arising out of Barbigha P.S. Case No. 112 of 2017] registered for the offence under Section 420/ 414/409/ 467 / 468/ 471 /272 /273 / 188 of the Indian Penal Code 1860 and section 30 of the Bihar Prohibition and Excise Act 2016 has prayed for grant of bail.

By way of referring to the F.I.R. learned counsel for the petitioner submits that F.I.R. was lodged on the self statement of the police officer who stated that he got secret information that number of accused persons including the petitioner were assembled for sale of liquor in field . Thereafter police went there however after noticing police all the accused fled away



and thereafter petitioner was made accused in the present case. Learned counsel for the petitioner by way of referring to the statement made in paragraph no. - 3 of the petition submits that petitioner was made earlier accused in Excise case. After recovery of about 20 liters of country made liquor from an abundant field has falsely implicated the petitioner as accused.

Considering the nature of accusation as well as period of custody, let the petitioner Mahesh Chaudhary be enlarged 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 learned 1st Additional District & Sessions Judge, Sheikhpura/ concerned court in connection with Excise Case No. 310 of 2017 (arising out of Barbigha P.S. Case No. 112 of 2017) .

(Rakesh Kumar, J)

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