

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59127 of 2017

Arising Out of PS.Case No. -234 Year- 2017 Thana -PIRBAHOR District- PATNA

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1. Mantu Chaudhary aged about 30 Years S/o Azad Chaudhary, R/o Mohalla- Gandhi Chauk, Mahabir Lane, Bari Path, P.S.- Pirbahor, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2017 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Special Case No. 1838 of 2017 arising out of Pirbahor P. S. Case No. 234 of 2017 instituted for the offence punishable under Sections 30, 36 and 38 of the Bihar Excise Prohibition Amendment Act, 2016.

The allegation is regarding recovery of 840 liters of illicit toddy from the house of co-accused namely, Niraj Choudhary.

It is submitted by the learned counsel for the petitioner that the present case has been lodged only on the basis of statement of the wife of the petitioner and no recovery has been



effected from the conscious possession of the petitioner. It is submitted that though the petitioner is involved in two other criminal cases, he has been granted bail in the said case. It is stated that the petitioner is languishing in custody since 18.08.2017.

Considering the nature of accusation and the period of custody undergone, I deem it fit and appropriate to direct the release of the petitioners. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 1838 of 2017 arising out of Pirbahor P.S.Case No. 234 of 2017.

(Mohit Kumar Shah, J)

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