

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59068 of 2017

Arising Out of PS.Case No. -638 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Bholu Chaudhary @ Kankata S/o Kashi Chaudhary, R/o Village- Balua
Sabji Bazar Market, Gopalpur, P.S.- Town Motihari District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Indivar Kumari, 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
Turkaulia P.S.Case No. 638 of 2017 instituted for the offence
punishable under Sections 30 (a)/36/38 of the Bihar Excise
Prohibition Amendment Act, 2016.

The allegation is regarding recovery of 90 liters of
Nepali illicit liquor from the possession of co-accused persons and
upon confessional statement of co-accused person, the petitioner
has been roped in the present case.

Learned counsel for the petitioner submits that in fact
the petitioner has been falsely implicated in the present case and



he has clean antecedent. It is further submits that the petitioner is languishing in custody since 01.11.2017.

Considering the nature of accusation, period of custody undergone and clean antecedent, I deem it fit and appropriate to direct the release of the petitioner. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge of Excise, Motihari in connection with Turkaulia P.S.Case No. 638 of 2017.

(Mohit Kumar Shah, J)

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