

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.63395 of 2017**

Arising Out of PS.Case No. -806 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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Niranjan Choudhary, son of Late Ratan Choudhary, resident of Village-  
Dansar, P.S.- Dagarua, District- Purnia.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Ahtash Ali Khan

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      17-01-2018                      Heard the learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Excise Case No. 2736 of 2017 arising out of K. Hat P.S. Case No.  
806 of 2017 instituted for the offences under Sections 379 and 411  
of the Indian Penal Code and section 37(c) of the Bihar  
Prohibition and Excise Act, 2016.

The allegation is regarding the petitioner having been  
caught by the Police in a drunken condition. It is further alleged  
that the petitioner was travelling in a auto rickshaw and one of the  
co-passenger was carrying a sum of Rs. 35,000/-, when some of  
the co-passenger had pick pocketed the said money along with the  
PAN card and Aadhar card whereupon the said co-passenger had  
raised hulla resulting in the rest of the co-passenger fleeing away,



however, the petitioner herein, being in a drunken condition remained there and was apprehended by the Police.

The learned counsel for the petitioner submits that no recovery of any illicit liquor has been made from the person of the petitioner and in fact the said amount of Rs. 35,000/- has also not been recovered and only Rs. 8000/- belonging to the petitioner was found from the person of the petitioner. It is further submitted that the petitioner is in custody 07.11.2017.

Considering the nature of accusation and the period of custody already undergone, I deem it fit and proper to enlarge the petitioner above named on regular 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 3<sup>rd</sup> Additional Sessions Judge-cum-Special Judge (Excise), Purnea in connection with Special Excise Case No. 2736/2017 arising out of K. Hat P.S. Case No. 806 of 2017.

**(Mohit Kumar Shah, J)**

S.Sb/-

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