

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.191 of 2018

Arising Out of PS.Case No. -247 Year- 2017 Thana -BIHRA District- SAHARSA

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1. Ghanshyam Choudhary, Son of Karpoor Chandra Chaudhary @ Kapur Chandra Chaudhary, Resident of Village- Panchgachia, P.S.- Bihra, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2018 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Special (Excise) Case No. 519 of 2017 arising out of Bihra P.S. Case No. 247 of 2017 instituted for the offences punishable under Section 30(d) of the Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 60 Tin Black Chhoa (Goor) from a tempo and the co-accused, who is the tempo driver, had disclosed that the petitioner was involved in the business of manufacturing of illicit liquor.

The learned counsel for the petitioner submits that no recovery has been made from the conscious possession of the petitioner and in fact, he is neither the driver nor the owner of the



said auto rickshaw. It is further submitted that the petitioner has a clean antecedent and he is languishing in custody since 09.11.2017.

Considering the nature of accusation, the period of custody undergone and the fact that the petitioner is having clean antecedent, I deem it fit and appropriate to enlarge the petitioner on regular bail. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Sharsa in connection with Special (Excise) Case No. 519 of 2017 arising out of Bihra P.S. Case No. 247 of 2017.

(Mohit Kumar Shah, J)

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