

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33619 of 2019

Arising Out of PS. Case No.-430 Year-2018 Thana- DINARA District- Rohtas

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PARAS CHOUDHARY @ PARAS NATH CHOUDHARY Son of Late Ram
Rup Choudhary @ Ram Swarup Choudhary Resident of Village - Koath, P.S.-
Dawath, District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 07-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered under Sections 272 and 273 of the Indian Penal Code
and Section 30(a), 35 and 38 of the Bihar Prohibition and
Excise Act, 2016.

95 litres of foreign liquor is said to have been
recovered from the tempo and one Irshad Khan was
apprehended in the course of escaping from the said tempo. He



disclosed that Dhiraj Kumar had loaded the aforesaid liquor in tempo and said liquor is hailing to the petitioner Paras Chaudhary.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or vehicle in question or trade of liquor. There is nothing on record indicating the complicity of the petitioner in the occurrence barring the disclosure made by the apprehended accused Irshad Khan due to animosity.

On the other hand, learned APP for the State opposing the bail petition submitted that the petitioner is having criminal antecedent and altogether five cases under Excise Act have been lodged against the petitioner, hence he does not deserve bail.

Having regard to the facts and circumstances of the case and keeping in view of the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, petitioner is directed to surrender before the learned court below within six weeks from today and seek



regular bail and the learned court below shall dispose of the bail
petition of the petitioner on the very date of his surrender in
accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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