

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11837 of 2021

Arising Out of PS. Case No.-117 Year-2020 Thana- GHOGHARDIHA District- Madhubani

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RADHE SHYAM CHAUDHARY @ BABAJEE @ BABOO JEE Son of
Shiv Kumar Choudhary Resident of Village - Kashiram Patti (Mahdewa),
P.S.- Phulparas, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 75 litres of liquor was recovered from the vehicle of co-accused Harishankar Manjhi who disclosed the name of the other accused persons including the petitioner herein stating that they were moving ahead of him.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested on spot nor any



incriminating article has been recovered from his possession. The only material against him is the statement of co-accused made before the police. He is in custody since 13.4.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having any criminal antecedent and investigation in the case having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Ghoghardiha P.S. Case no. 117 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II – cum – Special Judge, Excise, Madhubani.

(Partha Sarthy, J)

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