

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31561 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- JOKIHAT District- Araria

CHANDRAMA CHOUDHARY Son of Late Mirchand Choudhury @
Mirchandra Choudhury Resident of Village - Ward No. 24, Idilpur, Police
station - Bardhman Sadar, District - East Bardhman (West Bengal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Ganesh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2021 The instant case has been taken up for consideration
through the mode of Video conferencing in view of the
prevailing situation on account of COVID 19 Pandemic,
requiring social distancing.

Heard the learned counsel for the petitioner and Mr.
Ganesh Pd. Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with
Jokihat PS case no. 66 of 2021 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The allegation is regarding recovery of illicit liquor
from a truck and the petitioner is stated to be the owner of the
said truck.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 19.02.2021. The learned counsel for the petitioner has further submitted that co-accused persons have been directed to be released on bail after framing of charges vide order dated 08.10.2021, passed in Cr. Misc. no. 29152 of 2021, hence the petitioner be also granted bail in similar terms.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the order passed by a co-ordinate Bench of this Court in Cr. Misc. no. 29152 of 2021, I deem it fit and proper to direct for release of the petitioner after framing of the charges in the present case. It is needless to state that in case, the charges have already been framed against the petitioner in the present case, the learned court below shall release the petitioner on bail, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of 2nd Additional District and Sessions Judge-cum-Special Judge,



Excise Act, Araria in connection with Jokihat PS case no. 66 of 2021.

The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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