

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37605 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- PANCHRUKHI District- Siwan

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AJAY CHAUDHARY @ AJAY YADAV Son of Prabhu Chaudhary @
Prabhunath Yadav Resident of Village- Mahpur, P.S.- Sarai O.P., Pachrukhi,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Ms.Veena Rani Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Pachrukhi (Sarai O.P.) P.S. Case No. 47 of 2020 for the offence
registered under Sections 272 and 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 423.360 litres
of illicit liquor from a mango orchard.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 12.03.2021.
The learned counsel for the petitioner has submitted, by
referring to paragraph no. 6 of the present petition, that the
illicit liquor has been recovered from the mango orchard



belonging to one Bhrigu Pandit as also from the mustard field which does not belong to the petitioner.

Per contra, the learned counsel 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 petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the orchard/field in question from where the illicit liquor has been recovered and the petitioner is languishing in custody since 12.03.2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Pachrukhi (Sarai O.P.) P.S. Case No. 47 of 2020.

(Mohit Kumar Shah, J)

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