

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34904 of 2020

Arising Out of PS. Case No.-232 Year-2019 Thana- SIRDALA District- Nawada

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Dashrath Chaudhary S/o Jaglal Chaudhary R/o village- Jandhaul, P.S.-
Sirdala, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr.Asho Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2021 Heard the learned counsel for the petitioner and Shri
Ashok Kumar, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Sirdala P.S. Case No. 332 of 2019 for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation is regarding recovery of 12 liters of
illicit liquor from an open field and the name of the petitioner is
stated to have been disclosed by the local village chowkidar as
the person who is having complicity in the matter.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and is languishing in custody since 04.07.2020. The
learned counsel for the petitioner has further submitted that the
illicit liquor has been recovered from an open field, which does



not belong to the petitioner, hence, it is submitted that the petitioner has been falsely implicated in the present case merely on suspicion.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

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 fact that the illicit liquor has been recovered from an open field, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II cum Special Judge, Excise, Nawada in connection with Sirdala P.S. Case No. 232 of 2019.

(Mohit Kumar Shah, J)

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