

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5337 of 2021

Arising Out of PS. Case No.-107 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

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MANOJ KUMAR CHOUDHARY SON OF LATE JAGDISH
CHOUDHARY RESIDENT OF ISHAKCHAK PASI TOLA , P.S.-
ISHAKCHAK, DIST- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Ishakchak P.S. Case no.
107 of 2020 registered under section 30(a) and 38(d) of the
Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 177.820 litres of liquor
was recovered and the petitioner along with others were taken
into custody.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the person
or possession of the petitioner. The alleged recovery is from the



house given on rent by the mother of the petitioner to co-accused Gama Chaudhary. The petitioner has no criminal antecedent and is in custody since 7.9.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Ishakchak P.S. Case no. 107 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 Special Judge, Excise, Bhagalpur.

(Partha Sarthy, J)

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