

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17224 of 2022

Arising Out of PS. Case No.-108 Year-2019 Thana- NATIONAL HIGHWAY District-
Samastipur

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RAKESH CHOUDHARY @ RAKESH CHAUDHARI @ RAKESH
KUMAR S/O LATE SHANKAR CHOUDHARY R/o village- Kasweahar,
P.S.- Tajpur, Distt.- Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with N.H.
Bangra PS Case No. 108/2019 registered for the offence
punishable under Sections 272/273 of the IPC and under Section
30(a)/41(i) of Bihar Prohibition & Excise Act.

The prosecution case in brief is that the police on the
basis of confidential information that one Pradeep Choudhary of
village Rahimabad, Baheliya Tola is indulged in selling liquor
proceeded towards the place of occurrence and upon seeing the
police party two persons managed to flee away. The police
recovered 128 litres of foreign liquor from the house of the said
Pradeep Choudhary.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of
disclosure of his name by co-accused, Pradeep Choudhary who
has been granted bail by a Bench of this Court *vide* Cr. Misc.



No. 38206/2020 (Annexure-2). He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him. He is in custody since 05.07.2021 and the charge-sheet in the matter has been submitted.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that the accused person from whose house recovery was made, has been granted bail by a Bench of this Court, the petitioner is in custody since 05.07.2021 and the charge-sheet in the matter has been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.1, Samastipur in connection with N.H. Bangra PS Case No. 108/2019.

(Anil Kumar Sinha, J)

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