

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61100 of 2021**

Arising Out of PS. Case No.-186 Year-2021 Thana- CHAPRA TOWN District- Saran

Pappu Kumar Chaudhary @ Pappu Kumar Chaudhari S/o Late Baijnath Chaudhari R/o Mohalla- Madho Bihari Lane, Salempur, P.S.- Chapra Town, Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Singh

For the Opposite Party/s : Ms.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 30-03-2022

Heard.

The petitioner seeks regular bail in connection with Chapra (Saran) Nagar P.S. Case No. 186 of 2021, registered for the offence punishable under sections 30(a)/41(i)(ii)/37(a)/37(b) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 42 liters of illicit liquor from a rickshaw and the petitioner was arrested from the spot.

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 28.3.2021. The learned counsel for the petitioner has



further submitted that since the petitioner is not the owner of the rickshaw in question, he cannot be saddled with the liability of the illicit liquor recovered from the rickshaw in question.

Per contra, the learned APP 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 parties and taking into account the period of incarceration, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioners, above named, is directed to be released on bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned court of Special Judge, Excise Saran at Chapra in connection with Chapra (Saran) Nagar P.S. Case No. 186 of 2021.

(Mohit Kumar Shah, J)

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