

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62191 of 2021

Arising Out of PS. Case No.-261 Year-2021 Thana- DARAUNDA District- Siwan

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BABLU CHAUDHARY Son of Late Ramiqbal Chaudhary Resident of
Village - Rangjaranj, P.S. - Duraudha, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh
For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-04-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

At the outset, the learned counsel for the petitioner has submitted that on account of typographical error and inadvertence, the provision of law i.e. Section 30(a) of the Bihar Prohibition and Excise Act, 2016, under which also the petitioner has been implicated in the FIR, has not been mentioned in paragraph no. 1 of the petition.

Having regard to the submissions made by



the learned counsel for the petitioner, I direct that it would be deemed that apart from the provisions of law mentioned in the first paragraph of the present petition, the FIR in question qua the petitioner has also been registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Duraundha P.S. Case No. 261/2021, registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code.

The allegation is regarding recovery of 50 liters of illicit country made liquor and 64.360 liters of illicit foreign liquor from the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing



in custody since 10.9.2021.

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 learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II, Siwan in connection with Duraundha P.S. Case No. 261/2021.

(Mohit Kumar Shah, J)

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