

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65182 of 2021**

Arising Out of PS. Case No.-213 Year-2021 Thana- ATRI District- Gaya

MITHLESH CHAUDHARY S/o Kailu Chaudhary R/o Village- Belsar, P.S.-
Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 04-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Atri P.S. Case No. 213 of 2021 instituted for the offences under
Sections 272, 273 of the Indian Penal Code read with Sections
30(a)(d) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.07.2021 and charge-sheet has
been submitted.

Allegation is of recovery of 20 litre of country made
liquor along with 1200 litre of liquid of Jawa Mahua and other
utensils from the place of occurrence.



Learned counsel for the petitioner submits that the alleged recovery is from an open field which does not belong to the petitioner and he has been falsely implicated in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner has antecedent of three cases under the Excise Act.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and the place from where the liquor was recovered does not belong to the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Atri P.S. Case No. 213 of 2021.

(Satyavrat Verma, J)

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