

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65871 of 2021**

Arising Out of PS. Case No.-400 Year-2021 Thana- WAJIRGANJ District- Gaya

SAHEB CHAUDHARY, S/o Late Razo Chaudhary, Resident of Village -
Punawan, P.S. - Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Asha Kumari

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

2 11-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with Wazirganj
P.S. Case No. 400 of 2021, instituted for the offences under
Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is in custody since 01.10.2021, charge-sheet has been
submitted and has antecedent of one case and allegation is of
recovery of 13.960 litres of liquor from a motorcycle and house
of Ranjeet Kumar.

The learned counsel submits that the petitioner is not
named in the FIR and, as such, was not apprehended from the
place of occurrence. The name came in the confessional



statement of co-accused which has no evidentiary value.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 01.10.2021, charge-sheet has been submitted and name of the petitioner transpired in the confessional statement, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Gaya, in connection with Wazirganj P.S. Case No. 400 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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