

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.66138 of 2021**

Arising Out of PS. Case No.-114 Year-2021 Thana- MINAPUR District- Muzaffarpur

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RITESH CHAUDHRY @ RITESH KUMAR Son of Munna Chaudhry @  
Shyam Kumar Jayasawal Resident of Village - Rampur Hari, P.s.- Minpur,  
Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Nitu Kumari, Advocate  
For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

2      25-04-2022                      Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received about liquor having been stored, it is stated that a raid was conducted on which a number of co-accused including Priyanshu Raj, Priya Kumari, Karamvir Kumar and Sant Kumar were arrested. On further search 402.1 litres of IMFL was recovered from the house of Bal Krishna Kumar while 7.5 litres was recovered from the motorcycle. On inquiry the arrested accused persons disclosed the names of four other associates of Bal Krishna Kumar, which included the petitioner herein.



It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that no incriminating article has been recovered from the petitioner's possession nor was he arrested at the spot. The alleged recovery is from the house of co-accused Bal Krishna Kumar. The name of the petitioner transpired in the statement of co-accused made before police. He is in custody since 15.9.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the prosecution case, no incriminating article having been recovered from the petitioner's possession who has no criminal antecedent and is in custody for 7 months, the petitioner is directed to be enlarged on bail in connection with Minapur P.S. Case no. 114 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur.

**(Partha Sarthy, J)**

Spd/-

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