

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56081 of 2022

Arising Out of PS. Case No.-256 Year-2022 Thana- HASPURA District- Aurangabad

Mangal Chaudhari S/O Gulabchand Chaudhari, R/O Village- Halim Chak,
P.S.- Haspura, District- Aurangabad (bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Haspura P.S. Case No. 256 of 2022 lodged under Section 30(a)
of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, total recovery of 258.84 liter
country made liquor has been made from the house of the
petitioner and one Alto car, which is the subject matter of the
present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the said recovery was made from the *Dalan* of the

petitioner, which is the outer part of the building, where the common public used to come and go very frequently. Counsel further submits that petitioner having no criminal antecedent relating to excise matter but having one criminal case relating to Indian Penal Code, in which he is persuading for bail. He further submits that petitioner is in custody since 31.08.2022 and charge sheet has already been submitted in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad (Bihar) in connection with Haspura P.S. Case No. 256 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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