

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58644 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- NOKHA District- Rohtas

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Satya Narayan Choudhary @ Basath Choudhary Son of Ram Naresh
Choudhary R/V- Parsan Tola, P.S- Nokha Dist- Rohtas at Sasaram
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate
For the Opposite Party/s : Mr.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of

four weeks from today.

The petitioner seeks bail in connection with Nokha P.S.

Case No. 228 of 2022 registered for the offence under Section

30(a)(c) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in

custody since 23.08.2022.

The allegation against the petitioner is to be engaged in

illegal trading/manufacturing of illicit liquor, where, there was

recovery of 90 litres of illicit IMFL liquor/countrymade liquor.

Learned counsel appearing on behalf of the petitioner

submitted that recovery of alleged illicit liquor and utensils which

alleged to be used for manufacturing activities of country made

liquor were found in open place accessibly by general public



having no connection with petitioner. It is further submitted that nothing incriminating surfaced during the course of investigation, which may connect petitioner with alleged manufacturing activities of country made liquor, who is a man of clean antecedent. It is also submitted that seizure list also appears doubtful being not supported by independent witnesses, rather by police personnels.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was made from an open place in the background of doubtful seizure list, let the petitioner, above named, is directed to be released on bail in connection with Nokha P.S. Case No. 228 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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