

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71702 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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MITHELESH KUMAR CHOUDHARY Son of Mahesh Choudhary Resident
of Village - Lakripatti Gulabbagh, P.S.- Sadar, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-06-2022

Heard learned counsel for the parties.

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

As per the prosecution case, 359.64 litres of IMFL
was recovered from the vehicle of which the petitioner was the
driver.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. No
incriminating article has been recovered from his possession or
from his vehicle. He is in custody since 7.10.2021 and has no
criminal antecedent.

Heard learned A.P.P. for the State.



Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with Special Case no. 453 of 2021 (P.R. No.11 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 Additional District and Sessions Judge 2nd -cum-Special Judge (Excise), Kishanganj.

(Partha Sarthy, J)

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