

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2382 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- CHORAUT District- Sitamarhi

Kumar Adarsh Son Of Radhey Shyam Chaudhary R/V- Barri Behata, P.S-
Choraut, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Choraut P.S. Case No. 149 of 2022 registered under section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is recovery of 39 liters of illicit Nepali Saufi liquor from the motorcycle which was being driven by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is also submitted that



neither the petitioner has any concern with the seized illicit liquor nor he is the owner of the said motorcycle. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 31.07.2022. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide Annexure-2 of this petition.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Choraut P.S. Case No. 149 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 the learned Exclusive Special Excise Court-II, Sitamarhi.

(Sunil Kumar Panwar, J)

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