

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5594 of 2023

Arising Out of PS. Case No.-33 Year-2021 Thana- NADI P.S. District- Patna

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NARESH CHHABRA @ NARESH (KUMAR) CHHABRA @ SHARMAJI
S/o Sain Dass Chhabra R/o - House no. -03, Sector- 15A, Gurgaon, Haryana
and Permanent resident of- 1484, Near Salwan Public School, Sector 15, Part-
2, Gurgaon, Haryana-122001.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 420, 467, 468, 471 and
34 of the Indian Penal Code and Sections 30(a)/ 36/ 41(1) of the
Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of
4412.30 liters of illegal IMFL from the truck.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that petitioner has not arrested on spot. On the basis of disclosure of his name by one of the co-accused namely, Jitendra Vishwakarma, who apprehended on spot then the name of the petitioner has come into light. He further submitted that petitioner has no concern either with the seized liquor or with the said truck. No incriminating article has been recovered from the conscious possession of the petitioner. It has been mentioned in para-9 of the bail petition that the other co-accused namely, Jitendra Vishwakarma has already been granted bail by a Co-ordinate Bench of this Court vide order dated 01.11.2021 passed in Cr. Misc No. 37407 of 2021 and co-accused namely, Niranjana Singh, granted bail by vide order dated 14.12.2021 passed in Cr. Misc No. 35320 of 2021. He is languishing in judicial custody since 23.10.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special (Excise) Court, Patna City, Patna in connection with Nadi (Fatuha) P.S. Case No. 33 of 2021.

(Sunil Kumar Panwar, J)

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