

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8052 of 2023**

Arising Out of PS. Case No.-272 Year-2022 Thana- BUNIYAD GANJ District- Gaya

JITENDRA CHAUDHARY S/O BINDA CHAUDHARY R/v- Alipur, P.S.-
Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a)(b)(c) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 8 liters illicit country made liquor from a constructed house situated near Falgu river.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor or with the said constructed house. No any incriminating article has been recovered from conscious possession of the



petitioner. It is further submitted that the seizure list witness are police official not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 11.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

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 released on bail in connection with Buniyadganj P.S. Case No. 272 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Gaya.

(Sunil Kumar Panwar, J)

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