

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8150 of 2023

Arising Out of PS. Case No.-213 Year-2021 Thana- ATRI District- Gaya

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Guddu Chaudhary S/O Sanjay Chaudhary Resident Of Village- Belsar, P.S.-
Atri, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh

For the Opposite Party/s : Mr. Nityanand

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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 272, 273 of the Indian Penal Code and Sections 30(a)(d) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 20 liters of illicit liquor from an open filed and 1200 liters of Mahua mixture is alleged to have been destroyed.

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. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no



concern with the alleged recovery of illicit liquor or with the place of occurrence. No any incriminating article has been recovered from his conscious possession. 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. It is further submitted that the petitioner is languishing in judicial custody since 5.1.2023.

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 Atri P.S. Case No. 213 of 2021 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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