

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9784 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- BASOPATTI District- Madhubani

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RUPESH CHAUDHARY S/O LATE RAM ASHISH CHAUDHARY @
LATE RAM ASHISH CHAUDHARI Resident of Village- Majhaura, P.S.-
Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 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, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution story, in brief, is that the police party reached at Karpoori Chowk after getting secret information then the accused persons tried to flee away but one of them was arrested on spot who disclosed the name of the petitioner. Upon search, huge quantity of 324 liters illicit liquor was recovered from a vehicle.

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 vehicle in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious rather his name has transpired in this case on the basis of disclosure made by apprehended co-accused person. Moreover, the petitioner is languishing in judicial custody since 29.12.2022.

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 Basopatti P.S. Case No. 239 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 Additional Sessions Judge-II-cum-Special Judge, Madhubani.

(Sunil Kumar Panwar, J)

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