

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22000 of 2023

Arising Out of PS. Case No.-302 Year-2022 Thana- PIPRAKOTHI District- East Champaran

PAPPU CHAUDHARY @ PAPPU SAHANI @ PAPPU KUMAR @
RANDHIR KUMAR, aged about 25 years, Male, SON OF LATE SAKAL
CHAUDHARY @ LATE SAKAL SAHANI RESIDENT OF VILLAGE-
HATHIYAH, PS- PIPRA KOTHI, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Piprakothi P.S. Case No. 302 of 2022 dated 06.11.2022
registered for the offence(s) punishable under Section(s) 30(a) of
the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the allegation as to the
petitioner being involved in manufacturing of the illicit wine is
completely false as at the place of recovery any article or
material used in manufacturing of wine was not found which is
clearly evident from the seizure memo and as per allegation
only 7.125 litres of English wine is stated to have been
recovered from a mango orchard but the petitioner is not owner
of the said orchard and the same is an open place and the



alleged wine was not recovered from his conscious possession and he was not apprehended at the spot and seizure list witnesses are not the independent witnesses rather they are official persons. Further submissions are that the petitioner has been languishing in jail since 25.01.2023 and against him, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of investigation against the petitioner and his custody period and also the facts that he was not arrested at the spot of recovery and he has taken the plea that he has no concern with the place of recovery, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Piprakothi P.S. Case No. 302 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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