

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27210 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- BAHERA District- Darbhanga

Yogesh Kumar Choudhary @ Babu Choudhary, S/O Late Kailash Nath
Choudhary Village- Habi Bhouar Ps- Bahera Dist- Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 440.64 litre of liquor from State Boring House.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on disclosure made by the local people, but
then, F.I.R. does not disclose the name of the local people, who
disclosed the name of the petitioner, which creates doubt with



regard to the veracity of the allegation as alleged in the F.I.R.
and even the alleged place of recovery does not belong to the
petitioner.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned
counsel for the petitioner, the petitioner, above-named, in the
event of his arrest or surrender before the learned Court below
within a period of six weeks, is directed to be released on bail
on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees
Ten Thousand) with two sureties of the like amount each to the
satisfaction of the learned Special Judge Excise-II, Darbhanga
in connection with Bahera P. S. Case No.71 of 2023, subject to
the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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