

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 28565 of 2023**

Arising Out of PS. Case No.-460 Year-2022 Thana- PHULPARAS District- Madhubani

PANKAJ KUMAR CHOUDHARY @ PANKAJ KUMAR Son of Ram
Chandra Choudhary Resident of village - Karhiya, P.S. - Rajnagar, Distt. -
Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr Bishweshwar Ram, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Phulparas Police Station (for brevity, **PS**) Case No 460 of 2022 dated 24.09.2022, GR No 834 of 2022 registered for the offence punishable under Sections 420, 467, 468, 471 of the Indian Penal Code and Sections 30 (a), 32 (ii) (iii), 41 (i), 41 (ii) of the Bihar Prohibition and Excise Act.



As per the prosecution case, there is recovery of 567.690 liters of illicit foreign liquor from the truck.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has one more criminal case, as stated in paragraph 3 of the bail petition. He is in custody in this case since 17.02.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Jhanjharpur, District – Madhubani in Phulparas PS Case No 460 of 2022 dated 24.09.2022, GR No 834 of 2022.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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