

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32811 of 2023**

Arising Out of PS. Case No.-379 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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MITHUN CHAUDHARY @ MITHU CHAUDHARY @ MITTHU
CHOUDHARY Son of Lutan Chaudhary R/O Village - Bhenaura, P.S.-
Amara, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Rajesh Kumar, Advocate

For the Opposite Party/s : Mr Anish Chandra, APP

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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 Excise Police Station (for
brevity, **PS**) Case No 379 C2 of 2023 dated 12.04.2023
registered for the offence punishable under Sections 37, 45 of
the Bihar Prohibition and Excise Amendment Act.

As per the prosecution case, the petitioner was in



intoxicated condition.

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 in which he has been released on payment of fine. He is in custody in this case since 12.04.2023.

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 Additional Sessions Judge V -cum- Exclusive Special Court II, Excise Act, Lakhisarai in Excise PS Case No 379 C2 of 2023 dated 12.04.2023.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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