

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34688 of 2023**

Arising Out of PS. Case No.-364 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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CHOTU KUMAR @ MD CHOTU @ MD CHHOTE S/O MD RAJIK R/O -
Azam Nagar, Kumhar Tola, Ward No.6 P.S. L.N.M.U, and Distt. Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali
For the Opposite Party/s : Mr.Nityanand

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 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
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Excise P.S. Case No. 364 of
2023 dated 5.3.2023 registered for the offences punishable u/s
30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 69 litres of Nepali
liquor was recovered from the litchi garden on the disclosure
made by the petitioner and co-accused Rajkumar.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 6.3.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Excise P.S. Case No. 364 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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