

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39200 of 2023**

Arising Out of PS. Case No.-62 Year-2022 Thana- CHANAN District- Lakhisarai

BIJALI KORA @ VIJALI KORA SON OF LATE BIRBAL KORA
VILLAGE KACHHUA, PS- CHANAN, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr Upendra Kumar, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 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 Chanan PS Case No 62 of 2022 dated 23.04.2022 registered for the offence punishable under Sections 30 (a) (b) (c) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 160 litres of country made Mahua liquor and 2500 litres of Jawa Mahua were recovered from the forest area.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has four antecedents, as stated in paragraph



3 of the bail petition out of which in one case, he has been acquitted while in two cases, he is on bail. He is in custody in this case since 30.04.2023. It is further submitted that the petitioner's name was disclosed by village Chowkidar. Similarly situated co-accused Subodh Kora and Basudev Kora have been granted bail by a co-ordinate Bench of this Court in Cr Misc No 72655 of 2022 and Cr Misc No 73779 of 2022 (Annexure 2).

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 Session Judge IV -cum- Exclusive Special Excise Court No I, Lakhisarai in Chanan PS Case No 62 of 2022 dated 23.04.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

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