

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38587 of 2023**

Arising Out of PS. Case No.-375 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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SUDHIR CHOUDHARY @ SUDHIR CHOUDHARI S/O LATE BIKRAM
CHOUDHARY R/O Mohalla- Baigana, PS. Katihar, Dist. Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Prasad
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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

ORAL ORDER

2 05-07-2023 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 Katihar Excise P.S. Case No.

375 of 2023 dated 26.4.2023 registered for the offence

punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 40 litres of liquor is

alleged to have recovered from the motorcycle of the petitioner.

The petitioner is alleged to be the driver of the said motorcycle.



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 no concern with the alleged recovery. The petitioner is accused in one more criminal case in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 26.4.2023.

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, Katihar in connection with Katihar Excise P.S. Case No. 375 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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