

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41736 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- SISWAN District- Siwan

Sanjay Chaudhary @ Sanjay Chaudhri S/O Sri Bhagwan Chaudhri R/O
Village- Pasi Tola Ps. Siswan (Chainpur Op) And Dist. Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 41(i) of Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 60 liter illegal liquor from house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. Neither the petitioner was apprehended on the spot nor house in question belongs to him rather it belongs to one co-accused, namely, Arvind Dubey. It is further



submitted that nothing has been recovered from his conscious possession and seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. Moreover, the petitioner is languishing in judicial custody since 10.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Siswan (Chainpur O.P.) P.S. Case No. 112 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum Exclusive Special Excise Court-II, Siwan.

(Sunil Kumar Panwar, J)

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