

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42130 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- BAHERI District- Darbhanga

Natho Choudhary Son Of Surendra Choudhary Resident Of Village
Dhobopur, Bansara, P.S. - Baheri, District - Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2023 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 120B, 420, 467, 468 and 471 of the Indian Penal Code and Sections 30(a), 32, 41 of Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner and co-accused persons were apprehended on the spot and from their vehicle total 1332.615 liters illegal liquor was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner was driver of the seized vehicle nor vehicle in question belongs to



him. It is further submitted that nothing incriminating article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 03.08.2023, passed in Cr. Misc. No. 45536 of 2023. The petitioner is languishing in judicial custody since 12.05.2023.

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 Baheri P.S. Case No. 147 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 Exclusive Special Judge-I, (Excise Act) Darbhanga.

(Sunil Kumar Panwar, J)

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