

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 42643 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- KISHUNPUR District- Supaul

Sanjay Choudhary Son of Late Tej Narayan Choudhary Resident of village -
Andauli, ward no. 08, P.s. - Kishanpur, Distt. - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 14-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
S.T. Excise No. 482 of 2023 arising out of Kishanpur P.S. Case
No. 103 of 2023 dated 24.04.2023, lodged under Section 30(a)
Bihar Prohibition and Excise Amendment Act, 2018.

4. As per the prosecution case, the total recovery of
376.2 litre *desi Nepali* wine has been made from the house of
accused Santosh Chowdhary, which is clearly indicated in the
seizure list.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel

submits that petitioner is resident of the village, where the recovery has been made and under surprise, he was standing there and police has arrested him on suspicion.

6. Learned counsel for the petitioner further submits that the antecedent of the petitioner is clean and he is in custody since 28.04.2023.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Incharge Special Judge, Excise Supaul, Court No. 1 in connection with S.T. Excise No. 482 of 2023 arising out of Kishanpur P.S. Case No. 103 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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