

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44683 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Kariman Chaudhary Son of Bhim Chaudhary Resident of Mohalla- Belaur
Par, Ps- Udwant Nagar, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with Udwant
Nagar P.S. Case No. 157 of 2023 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 04.04.2023.

5. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 65 litres of IMFL/country made liquor from the front of



the house.

6. Learned counsel appearing on behalf of the petitioner submitted that alleged illicit liquor appears to be recovered from the front of the house of co-accused, namely, Ramji Choudhary and Rahul Kumar Choudhary and on their disclosure the name of petitioner appears in present case, who otherwise not apprehended on spot and nothing incriminating recovered from his conscious physical possession, as to connect petitioner with present recovery of illicit liquor. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, and by taking note of the fact as the name of petitioner surfaced on the basis of disclosure made by apprehended co-accused persons, where no illicit liquor appears to be recovered from conscious physical possession of this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 04.04.2023, accordingly, above named petitioner is directed to be released on bail in connection with Udwant Nagar P.S. Case No. 157 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Judge-II, Bhojpur at
Ara/concerned court, subject to the conditions as mentioned under
Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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