

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50851 of 2023

Arising Out of PS. Case No.-333 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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Shambhu Choudhary, Son Of Late Rama Choudhary Resident Of Village -
Kishunbagh, Ward No. 3, P.S. - Bettiah (Town), Distt. - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava
For the Opposite Party/s : Mr.Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272 and 273 of the I.P.C. and Section 30(a) of the
Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the allegation is
of recovery of 12.200 litres of liquor from the possession of Rita
Devi, who was found at the door of the house of the petitioner.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be



implicated based on confessional statement of Rita Devi in police custody, which does not have any evidentiary value. It is further submitted that petitioner was completely unaware that Rita, his wife, was indulging in such illegal activity.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Bettiah Nagar Kalibagh O.P. P. S. Case No.333 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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