

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51595 of 2023

Arising Out of PS. Case No.-444 Year-2022 Thana- RAGHOPUR District- Supaul

Dinesh Chaudhary Son Of Late Yogendra Choudhary Resident Of Village-
Hulas , Po- Hulas, Ps- Raghapur, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case relates to recovery of 99.75 litres
of illicit from abandoned land “Kharhor”.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
place of occurrence. Provision of Section 100 CR.P.C. has not
been followed by the police officials while preparing the seizure
list. The name of the petitioner has been disclosed in this case
by the apprehended co-accused before the police, which has got



no evidentiary value in the eye of law. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 19.5.2023 passed in Cr. Misc. No. 31091 of 2023. He is languishing in judicial custody since 22.5.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court II-cum-Additional District and Sessions Judge V Supaul in connection with Raghapur P.S. Case No. 444 of 2022.

(Sunil Kumar Panwar, J)

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