

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54497 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Dheeraj Choudhary S/O - Deendayal Choudhary@Dindayal Village-Pohar,
P.O-Ishagardh, P.S. - Shipari Bazar, Dist-Jhansi (U. P)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 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 Section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of total 63 liters of
Indian made foreign liquor from the four bags which were kept
in the Drawer of the coach.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case. He has no
concern with the alleged recovery or with the bags from which
liquor has been recovered. He is the employee of Indian



Railways and being the coach attendant he kept the said bags in the Almira on the request of some of the passengers. No any incriminating article has been recovered from his conscious possession. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 03.07.2023.

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 Special Judge (Excise)-II, Samastipur in connection with Samastipur Rail P.S. Case No. 138 of 2023.

(Sunil Kumar Panwar, J)

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