

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59316 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- ANTI District- Gaya

Bindeshwar Chaudhary @ Nanhak Chaudhary @ Bineshwar Choudhary S/O
Sri Hiranman Chaudhary @ Karu Chaudhary R/O Village- Kaji Bigha, P.S-
Anti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) and 37 of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 45 liters of country made liquor below the stairs of the joint house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern with the seized liquor and also there is no independent



witness of the seizure list which violates the provision of Section 100 Cr.P.C. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Anti P.S. Case No. 59 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Exclusive Special Excise Judge Court No.2, Gaya.

(Sunil Kumar Panwar, J)

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