

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58308 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- GURUA District- Gaya

Manoj Chaudhary S/O Jawahar Chaudhary R/O Village- Sonaribagh, P.S-
Gurua, Distt.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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 section 30(A) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 40 liters of illicit country made liquor from house of the petitioner who is alleged to have indulged in trade of illicit liquor.

4. 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 present case. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor. No any



incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 26.7.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of 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 Gurua P.S. Case No. 113 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 Exclusive Special Excise Court No.2, Gaya.

(Sunil Kumar Panwar, J)

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