

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60578 of 2023

Arising Out of PS. Case No.-243 Year-2022 Thana- NIRMALI District- Supaul

Shashi Kumar Choudhari Son Of Arun Choudhari Resident Of Village Sripur
Ward No 11 Ps Kishanpur District Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 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 2565 liters of illicit liquor from a pickup van bearing registration no. BR50GA-5418 and the petitioner is said to be owner of the aforesaid vehicle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner, being owner of the vehicle, has falsely been implicated in this present case. He has got no criminal antecedent as stated in para 3 of the bail



petition. Petitioner is owner of the said vehicle but he has no concern with the alleged recovery of illicit liquor. Neither he was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner has voluntary surrendered on 7.8.2023 and since then, he is languishing in judicial custody.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nirmali P.S. Case No. 243 of 2022 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 Judge Excise, Court No.2, Supaul.

(Sunil Kumar Panwar, J)

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