

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.354 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- PATNA CITY CHOWK District- Patna

Chhotu Sah Son Of Satya Narayan Sah R/O Village- Mangal Talab
Domkhana, P.S.- Chowk, District- Patna, Renter Of Jaykant Ray

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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.

Prosecution case relates to recovery of total 1050
liters from different vehicles.

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.
Petitioner has no concern with the alleged recovery of illicit
liquor or with the seized vehicles. Neither the petitioner was
arrested on spot nor any incriminating article has been
recovered from his possession. The name of the petitioner has



come into light on the basis of confession made by apprehended co-accused person namely, Dudersan Raj @Rohit Kumar, which has got no evidentiary value in the eye of law. It is further submitted that the petitioner is languishing in judicial custody since 8.8.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of 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 Chowk P.S. Case No. 126 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 Special Judge Excise, Patna City.

(Sunil Kumar Panwar, J)

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