

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68775 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- CHACKMEHSI District- Samastipur

Ravi Chaudhary @ Ravi Kr. S/O Sarvind Chaudhary @ Sarvind Kumar Chaudhary @ Sarvin Chaudhary R/O Vill - Nima Chakhaider, P.S. - Chakmehsi, Distt. - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 420, 468, 471, 414 and 34 of the Indian Penal Code and Section 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise (Amendment) Act.

3. Prosecution case relates to recovery of total 5951.880 liters of illicit foreign liquor from four different vehicles.

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 case due to ill motive of the informant. He has no concern with the alleged recovery of liquor or with the vehicles in question.



The name of the petitioner has been transpired in this case on disclosure of Ranjan Kumar who is arrested on the spot. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Petitioner is languishing in judicial custody since 14.06.2023.

5. Learned APP appearing for the State has 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 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 Exclusive Special Judge, Excise Court No.I, Samastipur in connection with Chakmehsi P.S. Case No. 72 of 2023.

(Sunil Kumar Panwar, J)

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