

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65896 of 2023

Arising Out of PS. Case No.-237 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Kishore Kumar Chaudhari @ Kishor Kumar Chaudhary @ Kishor Kumar,
Son of Late Bhuvneshwar Chaudhary @ Bhuvneshwar Chaudhary, Resident
of Village - Sahasram, P.S. - Biraul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mohania (Mohaniya) P.S. Case no. 237 of 2021 registered under sections 420, 467, 468 and 471 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the vehicle/truck in question was seized, two persons arrested and a total of 3777.48 litres of liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Referring to the orders brought on record as Annexure-2 series, it is submitted that the



two FIR named accused namely Arun Sidharth and Ketan Kumar have been enlarged on bail. Learned counsel referring to the order of the learned trial Court submits that the only material against the petitioner which has transpired in course of investigation is that he had provided money for the alleged offence. It is submitted that the petitioner is said to have paid money to co-accused Kuldeep who has also been enlarged on bail and his order has also been brought on record as Annexure-2 series. The petitioner is in custody since 20.8.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the order of the learned trial Court, wherein the material which has come in course of investigation against the petitioner has been dealt with, grant of bail to the above named co-accused and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Mohania (Mohaniya) P.S. Case no. 237 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Special Judge, Excise
no.1-cum-A.D.J. IV, Kaimur at Bhabhua (Bhabua).

(Partha Sarthy, J)

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