

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72147 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- PANDAUL District- Madhubani

Sanjay Chaudhary S/O- Ratilal Chaudhary @ Ratilal Chowdhary Village-
Haripur Ps- Pandaul Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 272, 273/34 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
205.5 liters of illegal *Nepali* liquor from a Tempo.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot
and he has no concern with the seized wine in question. He
submitted that petitioner is the owner of the seized Tempo
bearing Registration No. BR-32PA-2560. The provision of
Section 100 of the Cr.P.C. has not been followed in this case,



while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 28.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Additional Sessions Judge-II-cum-Spl. Judge Excise Act, Madhubani in connection with Pandaul P.S. Case No. 176 of 2023.

(Sunil Kumar Panwar, J)

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