

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72173 of 2023

Arising Out of PS. Case No.-216 Year-2023 Thana- MOTIHARI TOWN District- East
Champanan

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BHOLA CHOUDHARY SON OF LATE JANKI CHOUDHARY RESIDENT
OF VILLAGE- CHIKPATTI BALUA, PS- TOWN, DISTT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under section
30(a), 32, 41(i) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery
of 26.600 liters country made liquor from the house of the
petitioner.

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
present case. The petitioner has no concern with the alleged



recovery and he was also not apprehended from the place of recovery rather place of recovery is joint house of the petitioner. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 30.08.2023.

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 as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Town P.S. Case No. 216 of 2023 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-1, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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