

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73218 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- ATRI District- Gaya

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Santosh Chaudhary @ Santosh Choudhary, S/O Sunil Chaudhary @ Sunil Choudhary, resident of village- Sheotar, P.S. Atri and Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of Atri P.S. Case No. 318 of 2022 disclosing commission of the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a)(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The petitioner had earlier approached this Court for grant of regular bail by filing Cr. Misc. No. 67885 of 2022 which was rejected by an order dated 04.03.2023 with an observation that the petitioner shall be at liberty to renew his prayer for bail after six months, if, in the meanwhile, there was no substantial progress at the trial.



It is the prosecution's case that from the house of petitioner 50 litres of *mahua* liquor along with articles capable of being used for manufacturing *mahua* liquor was recovered. The petitioner was present at the place from where the recovery was made.

Learned counsel for the petitioner has submitted that the petitioner has remained in custody for more than one year and no prosecution witness has been examined so far.

Considering the aforesaid submission, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Excise Court No.1, Gaya, in Atri P.S. Case No. 318 of 2022.

(Chakradhari Sharan Singh, J)

Rajesh/-

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