

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76803 of 2023**

Arising Out of PS. Case No.-695 Year-2023 Thana- Excise P.S. District- Aurangabad

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Santosh Kumar Choudhary Son Of Devraj Choudhary Resident Of Village -
Pathara, Pipardih P.S. - Husainabad, District, Palamu, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rupa Kumari

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 155.520 litres of illicit

country made liquor from an auto-rickshaw.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. The petitioner is driver of



the alleged auto-rickshaw and he was not aware about the illicit liquor being carried in the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the illicit liquor. The petitioner is languishing in custody since 03.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Since petitioner is driver of the alleged vehicle, he is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the District Legal Services Authority, Aurangabad.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise



Court No. 2, Aurangabad in connection with Excise P.S.
Case No. 695 of 2023.

Shageer/-

(Sunil Kumar Panwar, J)

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