

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75294 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- NIRMALI District- Supaul

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ARUN CHOUDHARY @ ARUN KUMAR JAISWAL S/O LATE
NARAYAN CHOUDHARY Resident of village- Raghapur, P.S.- Raghapur,
District- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 3524.58
litres of illicit liquor from the house of co-accused and co-
accused Srikant Rai disclosed the name of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
place of occurrence. Petitioner is not named in the FIR. The
name of the petitioner has been disclosed in this case by the



apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 10.11.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Exclusive Special Judge, Excise Court No. 02 of Supaul in connection with Nirmali P.S. Case No. 01 of 2022.

(Sunil Kumar Panwar, J)

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