

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74557 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- CHORAUT District- Sitamarhi

SATYA PRAKASH CHOUDHARY @ ANKIT CHOUDHARY Son of
Akhilesh Choudhary @ Akhilesh Kumar R/V- Barri Bihta, P.S- Choraut, Dist-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Choraut P.S. Case No. 149 of 2022, registered for the offence punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 84 liters of illicit liquor from two motorcycles and the petitioner is stated to have been arrested along with two other co-accused persons.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 31.7.2022. The learned counsel for the petitioner has further submitted that the petitioner has been made an accused in the present case only on account of him being an accused in four other similar type of criminal cases.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is an accused in four other similar type of criminal cases, though I am not inclined to grant bail to the petitioner at the moment, however, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon framing of charges by the learned trial court, subject to such conditions as



may be deemed fit and proper to be imposed by the learned court of Exclusive Special Excise No. II, Sitamarhi in connection with Choraut P.S.Case No. 149 of 2022.

The present petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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