

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75314 of 2022

Arising Out of PS. Case No.-262 Year-2022 Thana- WAJIRGANJ District- Gaya

MANTU CHAUDHARY @ MANTU KUMAR Son of Tulsi Chaudhary
Resident of Village- Chanda Khurd, P.S.- Wajirganj and District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Amitesh Kumar

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 section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 180 litres of country made mahua liquor from an abandoned motorcycle.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the local chawkidaar 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 23.11.2022.

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 Excise Court No. 1, Gaya in connection with Wazirganj P.S. Case No. 262 of 2022.

(Sunil Kumar Panwar, J)

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