

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.772 of 2023

Arising Out of PS. Case No.-107 Year-2020 Thana- BELHAR District- Banka

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Ranjan Choudhary Son Of Devi Chaudhary R/O Vill.- Singhpur, P.S.-
Kharagpur, Distt.- Munger

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar Sinha
		Mr. Rajesh Kumar
For the Opposite Party/s :		Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 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), 32(2) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 90 litres of IMFL from a car bearing registration number WB-06-1567. Two persons were apprehended from the spot and they disclosed that one Parveen had loaded the liquor from Deoghar and had to deliver to Tarapur to the person of given mobile number(which belongs to



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 vehicle in question. 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 10.10.2022.

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 as well as period under custody, 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 Additional District and Sessions Judge II-cum-Special Judge (Excise Act), Banka in connection with Special Excise Case No. 198(A) of 2020 arising out of Belhar P.S. Case No. 107 of 2020.

(Sunil Kumar Panwar, J)

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