

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6070 of 2023

Arising Out of PS. Case No.-330 Year-2021 Thana- PIPRA District- Supaul

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Durga Chaudhary @ Durga Choudhary @ Durga Kumar S/O Ram Dev
Chaudhari Resident Of Village- Sohagpur, P.S.- Kishanpur, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 467, 468, 471 and 420 of the Indian Penal Code and Sections 30(a), 41 of Bihar Prohibition and Excise Act, 2018.

It is a case of recovery of total 3151 liters of English Liquor which was recovered from a truck bearing Reg. No. DL1M-6476, co-accused, namely Vinod Shah disclosed the name of this petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confession made by arrested co-accused person. Nothing incriminating article has been recovered from his conscious possession or from his house. It is further submitted that the seizure list has not been prepared in accordance with the provision of Cr.P.C. Petitioner was granted anticipatory bail and for filing bail bonds he granted six weeks time but in between he was apprehended in another case on 24.08.2022 in Pipra P.S. Case No. 334 of 2021, therefore, he could not file bail bond within the stipulated period of six weeks in earlier case. The petitioner is languishing in judicial custody 29.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pipra P.S. Case No. 330 of 2021 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Supaul.

(Sunil Kumar Panwar, J)

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