

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4600 of 2024

Arising Out of PS. Case No.-324 Year-2022 Thana- NOKHA District- Rohtas

Ashok Choudhary Son of Bechan Chaudhary Resident of Village- Parsan
Tola, Ps- Nokha, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Tiwary, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nokha
P.S. case No. 324 of 2022 instituted for the offences under
Sections 30(a)(c)(d) of the Bihar Prohibition & Excise Act.

3. Prosecution allegation, in short, is that, police on
secret information conducted raid and on search, total 200 litres
of country-made liquor was recovered from the bushes.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 28.11.2023 and has one
criminal antecedent. The petitioner has falsely been implicated
in the present case. No incriminating article has been recovered
from the conscious possession of the petitioner rather the



alleged recovery has been made from an open place. No specific overt act is alleged against this petitioner. Petitioner has no concern with the alleged recovery. Similarly situated co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 15.05.2023 passed in Cr. Misc. No. 23432 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nokha P.S. case No. 324 of 2022.

(Rudra Prakash Mishra, J)

Alok Verma/-

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