

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9823 of 2024

Arising Out of PS. Case No.-451 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Meyadi Chaudhary @ Anil Mahto S/O- Sarwan Mahto @ Sharwan
Chaudhary R/O- Village- Dharmal Banday, P.S.- Patori, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Patori P.S. Case No. 451 of 2023 instituted for the offences

under Section 30(a) of the Bihar Prohibition and Excise Act,

2022.

3. As per prosecution case, the police, on receipt of

secret information, has recovered 120 liter illegal country

made liquor from the Tempo.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

the present case. The name of the petitioner has surfaced in



this case on the disclosures made by the co-accused Vicky Kumar and Ranjan Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor or the Tempo. The petitioner is neither owner nor driver of the alleged vehicle. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 07.12.2023.

5. Learned counsel for the petitioner again submits that the co-accused Vicky Kumar and Ranjan Kumar have been granted regular bail by a Co-ordinate Bench of this Court vide order dated 01.12.2023 passed in Cr. Misc. No. 63196 of 2023.

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

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of



the petitioner as also the petitioner having no criminal antecedent and considering the claim based on parity, let the petitioner, abovenamed, 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 Patori P.S. Case No. 451 of 2023.

(Rudra Prakash Mishra, J)

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