

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8136 of 2024**

Arising Out of PS. Case No.-37 Year-2022 Thana- RAHIKA District- Madhubani

Manoj Choudhary S/o Late Nurai Choudhary R/o Vill - Rahika Kotha Tola,
P.S. - Rahika, Dist. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rahika
P.S. Case No. 37 of 2022 (G.R. No. 460 of 2022) instituted for
the offences under Section 272, 273, 34 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. As per prosecution case, the police, on receipt of
secret information, reached at the place of occurrence where on
pickup was seen coming towards Saurath. On seeing the police-
party, the driver left the vehicle and managed to escape away
from there. On search, the police recovered 1260.360 liters of



IMFL/country made liquor from the pickup.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner has no concern with the illicit liquor regarding sale or purchase or the seized vehicle. The petitioner is languishing in judicial custody since 25.12.2023. He further submits that the similarly situated co-accused/Kamlesh Jha @ Baba has been granted bail by a Co-ordinate Bench of this Court vide order dated 05.08.2022 passed in Cr. Misc. No. 29862 of 2022.

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 the co-accused having been granted bail by a Co-ordinate Bench of this Court, 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 Rahika P.S.
Case No. 37 of 2022 (G.R. No. 460 of 2022) .

(Rudra Prakash Mishra, J)

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