

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8442 of 2024

Arising Out of PS. Case No.-212 Year-2023 Thana- JANTA BAZAR District- Saran

Pawan Choudhary @ Pawan Kumar Choudhary S/o Surendra Choudhary R/o
Vill - Shovipur, P.S. - Janta Bazar, Dist. - Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrinath Manjhi, Advocate

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

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

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Janta Bazar P.S. case
No. 212 of 2023 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 15 liters
mahua liquor was recovered from behind of the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
petitioner has got no concern with the alleged recovery of
liquor. No incriminating material has been recovered from the
conscious possession of the petitioner. The place from where the



recovery is made is an open area accessible to anyone. The petitioner is in custody since 23.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 the petitioner having clean antecedent, 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 Janta Bazar P.S. case No. 212 of 2023.

(Rudra Prakash Mishra, J)

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