

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9793 of 2024

Arising Out of PS. Case No.-786 Year-2023 Thana- Excise P.S. District- Sheikhpura

Punit Chaudhary Son of late Nand Deo Chaudhary Resident of village or
Mohalla- Bazidpur, P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sheo Nandan Prasad, Advocate
For the State	:	Mr. Bharat Lal, APP

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 786 of 2023 instituted for the offence under
Sections 30(a), 32, 41, 56(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per prosecution case, there is recovery of total 4
liters of illicit Chulai liquor from white colour plastic bag.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-12-2023. Petitioner
bears two criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged recovered liquor. Petitioner is an agricultural labourer and while he was working on the field he was implicated on extraneous consideration by the police. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of implication, this Court is inclined to grant bail to the petitioner.

8. 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 Excise P.S. Case No. 786 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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