

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17244 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- Excise P.S. District- West Champaran

Ramesh Chaudhary Son of Late Vishwanath Chaudhary Resident of Jagdambapur, Ward No. 08, Police Station-Sri Nagar Pujaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anita Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bettiah Excise P.S. (West Champaran) Case No. 66 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per prosecution case, the police has recovered 68.62 liters of illegal liquor from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to misrepresentation. 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. 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 23.01.2024.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, 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 Bettiah Excise P.S. (West Champaran) Case No. 66 of 2024 .

(Rudra Prakash Mishra, J)

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