

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22148 of 2024

Arising Out of PS. Case No.-67 Year-2023 Thana- NAWANAGAR District- Buxar

Vikash Choudhary S/o Gulab Chand Choudhary R/o Dhanbakhra, P.S.-
Nawanagar, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupam Prabhat Shrivastava, Advocate

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

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nawanagar P.S. Case
No. 67 of 2023, instituted for the offences punishable under
Sections 30(a) and 30(c) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 20 liters
liquor was recovered from garden of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in the present
case. No incriminating material has been recovered from the
conscious possession of the petitioner. The petitioner has got no



concern with the alleged recovery of liquor. It is further submitted that the garden does not belong to the petitioner and name of the petitioner was disclosed by the local chowkidar. The petitioner is in custody since 29.01.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 and the period of custody undergone by the petitioner, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawanagar P.S. Case No. 67 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

