

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54666 of 2024

Arising Out of PS. Case No.-196 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Abhishek Kumar SON OF OM PRAKASH CHAUDHARY VILLAGE-
HATIHYAHI, PS- PIPRA KOTHI, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Ajay Kumar No. 2

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Excise Town P.S. Case No. 196 of 2020,
registered for the offences punishable under Sections
30(a)/41(i), 38 of Bihar Prohibition and Excise Act.

3. As per allegation, on 27.04.2020, the informant
received a secret information that the petitioner and his father
are indulged in manufacturing illicit liquor. Thereafter, the
informant along with other police officials conducted a raid at
the cowshed of the petitioner wherefrom 105 litres of illegal
spirit, 45 litres country made foreign liquor, etc. were recovered.
The petitioner fled away from the place of occurrence.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. The petitioner was not apprehended from the place of occurrence and nothing has been recovered from the conscious possession of the petitioner. The petitioner is under custody since 20.06.2024.

5. On the other hand, learned APP has opposed the prayer for bail and submitted that the petitioner has criminal antecedent of a case of similar nature.

6. Considering the above-mentioned facts and circumstances, the petitioner, above-named, is directed to furnish bail bond **after four months from today** and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court-2, East Champaran, Motihari in connection with Excise Town P.S. Case No. 196 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the



similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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