

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72313 of 2024

Arising Out of PS. Case No.-307 Year-2024 Thana- Excise P.S. District- Sheikhpura

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Prahalad Choudhary @ Kailu Choudhary @ Pralad Choudhary Son of Late
Jageshwar Choudhary Resident of Village- Kasar, P.S.- Ariyari, Distt.-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a), 32, 41,
56(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that two liters of
country made liquor was recovered from the possession of the
petitioner and police is so intelligent that after smelling the said
seized material, they come to the conclusion that the same is
country made liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted that



the petitioner is languishing in judicial custody since 30.07.2024. It is next submitted that it is very strange that even after recovery of such a small amount of liquor, his bail petition has been rejected by the Exclusive Special Excise Judge, Sheikhpura. It seems that the trial court is not aware of its jurisdiction.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6.Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sheikhpura Excise P.S. Case No. 307 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Sheikhpura.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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