

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73957 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- BACHHWARA District- Begusarai

Balmiki Choudhary @ Balmiki Kumar Choudhary S/o Jayram Choudhary
R/o Village - Fateha, P.S- Bachhwara, District -Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a), 32(2) and 41 of the
Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and is in custody since
26.07.2024 and allegation is of recovery of 6307.200 litres of
liquor from a truck.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of
the seized truck and he came to be implicated at the instance of
the Chawkidar with whom petitioner is on an inimical term. It is
further submitted that if Chawkidar was aware of the



involvement of the petitioner in the occurrence from before then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution. It is next submitted that once an accused is implicated in a case relating to excise the police start implicating mechanically.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

6. Considering the submission, the petitioner, above named, is directed to 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 learned Court below where the case is pending in connection with Bachhwara P.S. Case No. 26 of 2024.

(Satyavrat Verma, J)

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