

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80842 of 2024

Arising Out of PS. Case No.-211 Year-2023 Thana- TEGHRHA District- Begusarai

Balmiki Choudhary @ Balmiki Kumar Choudhary Son of Jay Ram
Chaudhary 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

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 13-12-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Teghra Police Station Case No. 211 of 2023, dated 08.07.2023, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, as per the First Information Report, is that the police got a secret information that the truck, having Bengal number, has arrived containing illicit liquor near the place of occurrence from which the illicit liquor was being unloaded. It has further been alleged that the police arrived on the basis of information and upon seeing the police party, some persons who were assembled there, fled away. Upon search, police



recovered a total of 2145 liters of illicit liquor from the the said vehicles i.e. truck, Honda City Car and tempo

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and his name has transpired on the basis of confessional statement of co-accused persons. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or vehicle belonging to him. He further submits that petitioner is neither the owner nor the driver of the said vehicles. The similarly situated co-accused Vijay Rajak @ Vijay Kumar Rajak has been granted anticipatory bail by this Court in Cr. Misc. No. 68909 of 2023. The petitioner is in custody since 12.09.2024.
5. Regards being had to the submissions made by the parties and taking into consideration the period of custody and the fact that the similarly situated co-accused person has been granted anticipatory bail by this Court, I am inclined to grant regular bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail 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 I, Begusarai, in
connection to the Teghra Police Station Case No. 211 of
2023.

(Anil Kumar Sinha, J)

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