

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76767 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- CHACKMEHSI District- Samastipur

Mukesh Kumar Choudhary @ Chunnu Choudhary S/O Amresh Choudhary
R/O Village- Nimachakhaidar, P.S- Chakmehsi, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case and the allegation is of
recovery of 284.400 litres of liquor from two different
motorcycles and one pickup van as detailed in the FIR. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession. It is also
submitted that petitioner is not the owner of any of the seized
vehicles. He came to be implicated based on confessional
statement of Dinesh Kumar and Sawan Kumar in police custody



which does not have any evidentiary value.

4. Learned A.P.P. opposes the bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise- 1, Samastipur in connection with Chakmehsi P.S. Case No. 157 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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