

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79287 of 2024

Arising Out of PS. Case No.-96 Year-2012 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Umesh Choudhary @ Umesh Kumar Choudhary S/O Ram Chandra Choudhary @ Gopal Choudhary R/O Village- Lohat, P.S-Pandaul, District -Madhubani (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kumar Rajeev, Advocate
For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-11-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in G.O. Case No. 96 of 2012, T.R. No. 331/2017 instituted for the offences under Section 47(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 68.25 liters liquor was recovered from staff quarter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is



further submitted that the name of the petitioner has transpired on the basis of disclosure made by local people. The place of recovery, which is a staff quarter of Lohat Sugar Mill, does not belong to the petitioner. The petitioner is in custody since 30.09.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.O. Case No. 96 of 2012, T.R. No. 331/2017.

(Rudra Prakash Mishra, J)

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