

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84979 of 2023

Arising Out of PS. Case No.-408 Year-2023 Thana- BANIAPUR District- Saran

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Krishna Chaudhary Son Of Ashok Chaudhary Resident Of Village- Karahi,
Ps- Baniyapr, Dist- Saran, Chapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 15 litres
country made liquor and other materials used for
preparation of liquor from the house of petitioner.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and
has committed no offence. Neither the petitioner was



apprehended on spot nor anything incriminating has been recovered from his conscious possession. He has no concern with the alleged recovery. He has been implicated in this case on the identification of local chowkidar. There is no independent witness of the alleged seizure. Moreover, petitioner is languishing in judicial custody since 04.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge I, Saran, Chapra in connection with Baniyapur



P.S. Case No. 408 of 2023.

(Sunil Kumar Panwar, J)

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