

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80959 of 2023

Arising Out of PS. Case No.-579 Year-2023 Thana- BRAHMPUR District- Buxar

BAIJNATH CHOUDHARY SON OF KEDAR CHOUDHARY R/O
MOHALLA- MILKY CHAK, P.S.- MEHANDI GANJ, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 30(A)/41 of the Bihar Prohibition & Excise (Amendment) Act, 2018.

3. As per the prosecution case, 58.92 litres of foreign liquor has been recovered from the room situated in the premises of Brahampur Police Station.

4. It is submitted on behalf of the petitioner that he has been falsley implicated in the present case merely because he happens to be the Officer of the police station on the alleged date of occurrence petitioner had left the police station about 3 O'clock by handing over the charge to one Yogendra Kumar for ensuring his appearance in Bettiah Court on 19.09.2023 and thereafter, he appeared as prosecution witness in the Court of



learned Judicial Magistrate-Ist Class, Bettiah. Petitioner claims to be clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6.Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest or surrender within a period of six weeks from today, be enlarged 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 Special Judge, Excise Court-2, Buxar, in connection with Brahmpur P.S. Case No. 579 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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