

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86434 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- PANDAUL District- Madhubani

Mantu Kumar Chaudhary S/o Mushan Chaudhary @ Bhushan Chaudhary R/o
Village-Shahpur, P.S- Pandaul, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 450 litres of Nepali liquor from behind the house of the petitioner, kept hidden in a bush.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the alleged recovery or with the place of occurrence. Provision of Section 100 CR.P.C. has not been



followed by the police officials while preparing the seizure list. The alleged place of occurrence is open area, easily accessible to common people. Nothing incriminating article was recovered from his conscious possession. He is languishing in judicial custody since 28.10.2023.

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 Additional Sessions Judge, 2nd -cum-Special Judge Excise Act, Madhubani in connection with Pandaul P.S. Case No. 225 of 2023.

(Sunil Kumar Panwar, J)

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