

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87126 of 2024**

Arising Out of PS. Case No.-148 Year-2024 Thana- BISFI District- Madhubani

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Pawan Chaudhary @ Pawan Kumar Chaudhary Son of Late Sukhdev Chaudhary @ Late Rajeshwar Chaudhary Resident of Village - Navratan Tola, P.S.- Bisfi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      19-12-2024                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bisfi P.S. Case No. 148 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 750 liters liquor was recovered from bush outside the road.

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. Learned counsel for the petitioner further submits that the alleged recovery has



been made from bush which is an open place and easily accessible to public at large. Name of the petitioner has transpired in this case on the basis of disclosure made by local chaukidar. The petitioner is in custody since 10.09.2024 and has got two criminal antecedents in which he is on bail in one case. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bisfi P.S. Case No. 148 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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