

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5844 of 2025

Arising Out of PS. Case No.-335 Year-2020 Thana- CHHATAUNI District- East Champaran

Golu Patel, aged 30 years, Male, Son of Parmanand Patel @ Pramanand Patel
@ Sharma Patel, Resident of Village - Bhawanipur (Biwanipur) Zirat, P.S. -
Chhatauni, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Chhatauni P.S Case No. 335 of 2020 registered for the offences
punishable under Sections 270, 272, 34 of the Indian Penal
Code and Sections 30(a), 32, 41 of Bihar Prohibition and Excise
Act.

3. As per prosecution case, total 266.625 litres illicit
foreign liquor was recovered from the thatched hut situated
behind the office of fisheries department.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is further
submitted that no incriminating article has been recovered from



the conscious possession of the petitioner. On perusal of seizure list there is no independent witness. The name of the petitioner has been surfaced from the statement of villagers. It is also submitted that petitioner is in judicial custody since 21.11.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner that similarly situated co-accused person namely Ramesh Jaiswal has been granted bail by this Court in Cr. Misc. No.22874 of 2024 vide order dated 21.03.2024, let the above named 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 learned Exclusive Special Excise Court No. 1, Motihari, East Champaran in connection with Chhatauni P.S. Case No. 335 of 2020.

(Ramesh Chand Malviya, J)

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