

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13208 of 2018**

Arising Out of PS.Case No. -394 Year- 2017 Thana -PATLIPUTRA District- PATNA

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Shambhu Chauhan, son of Hari Chauhan, resident of village Udwant Nagar,  
P.S. Udwant Nagar, District Bhojpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
**ORAL ORDER**

02 07-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Special Case No.8183 of 2017, arising out of Patliputra P.S. Case No.394 of 2017, registered under Section 30 (a), 38 (1) (2) & 41 (1) (2) of the Bihar Prohibition and Excise Act, 2016.

487.5 liters of foreign liquor is said to have been recovered from the tractor and the petitioner, who happens to be driver of the said tractor, was apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He does not happen to be driver of the said tractor. He has been falsely implicated in this case by the police merely on suspicion while he



was passing from the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 25.11.2017.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Special Judge Excise, Patna in connection with Special Case No.8183 of 2017, arising out of Patliputra P.S. Case No. 394 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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