

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 23008 of 2018**

Arising Out of PS. Case No.-340 Year-2017 Thana- Buxar Muffasil District- Buxar

Pinku Chouhan @ Pinku Kumar, Son of Raj Kumar Chouhan @ Arjun Chouhan, Resident of Village- Nadawn, Police Station- Buxar (M), District- Buxar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Smt Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2. 23-04-2018                      Heard Sri Anil Kumar Roy, learned counsel for the petitioner and Smt. Pushpa Sinha, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Buxar (M) P.S. Case No. 340 of 2017 registered for offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

By way of referring to F.I.R., it was submitted by learned counsel for the petitioner submits that police on secret information noticed a tempo and thereafter, chased it, however; the driver of the vehicle tried to flee away and after leaving the tempo at some distance, he fled away. Learned counsel for the



petitioner further submits that due to political rivalry, petitioner was named, as if, he was driver of the vehicle. However, fact remains that petitioner was not having any connection with the tempo or seizure of the articles. Learned counsel for the petitioner has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioner is having clean antecedent.

Considering the nature of accusation and clean antecedent, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Pinku Chouhan @ Pinku Kumar 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 Addl. District and Sessions Judge 2<sup>nd</sup> cum Special Judge (Excise Act), Buxar in connection with Buxar (M) P.S. Case No. 340 of 2017 subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

**(Rakesh Kumar, J.)**

anay

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

