

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6313 of 2018

Arising Out of PS.Case No. -89 Year- 2017 Thana -JAMHORE District- AURANGABAD

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CHANDAN CHOUHAN @ CHANDAN CHOCHAN, son of Debu Chohan @
Dubbay Chouhan, vill. Bakari, 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. Ashok Kumar Singh

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 04.12.2017 in connection with Jamhore P.S. Case No. 89 of 2017 for the alleged offences under Section 30(a), 38(i) of the Bihar Excise (Amendment) Act, 2016.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the owner of the truck from which 244 bottles of foreign liquor of different quantities have allegedly been recovered. The petitioner was admittedly not in the vehicle at the time of occurrence nor has any knowledge about the liquor kept in the car. Both persons who were found in the car at the time of occurrence namely, Manish Kumar and Shambhu Chouhan have been granted bail by this Court in Cr. Misc. No. 49903 of 2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge



(Excise), Aurangabad in connection with Jamhore P.S. Case No. 89 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/BT

(Vikash Jain, J)

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