

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48163 of 2018

Arising Out of PS.Case No. -158 Year- 2018 Thana -BYPASS District- PATNA

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1. Ajit Chauhan, Son of Late Lakshmi Chauhan, Resident of Village-
Khemnichak Golkimore, Police Station- Ramkrishna Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Md. Nazir Ansari

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

02 07-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Section 420/34 of the Indian Penal Code and Section 30(a)/37(c) of the Bihar Prohibition and Excise Act, 2016.

Huge quantity of foreign liquor is said to have been recovered from the pickup van and the driver of the said vehicle was apprehended and petitioner and one co-accused, namely, Ramesh Chauhan @ Bhura were apprehended in course of following the said vehicle by the motorcycle. Petitioner is the owner of the said pickup van.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious



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physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in this case by the police merely on suspicion which he was unfortunately proceeding by the motorcycle behind the aforesaid pickup van alongwith his brother Ramesh Chauhan @ Bhura. Though he happens to be owner of the said pickup van but he had given it to one Chanda Rai on hire and he had no knowledge of carrying the liquor by the said Chanda Rai in the said vehicle. He has no criminal antecedent and has been languishing in custody since 25.05.2018. The said Ramesh Chauhan @ Bhura has been enlarged on bail by this Court in Cr. Misc. No.45933 of 2018 vide order dated 30.07.2018.

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 Bypass P.S. Case No.158 of 2018 (Special Case No.4956/2018).

(Prakash Chandra Jaiswal, J)

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