

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16566 of 2019

Arising Out of PS. Case No.-330 Year-2018 Thana- BUXAR MUFFSIL District- Buxar *

KAMLESH CHAUHAN S/o Lalan Chauhan, Resident of Village- Nadaoan,
P.S.- Buxar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Buxar (M) P.S. Case No. 330 of 2018 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

The allegation is regarding recovery of 80 liters of
illicit liquor from the house of the co-accused, namely, Buchiya
Devi, upon the raid being conducted by the police and upon the
said co-accused person having been apprehended by the police,
she is said to have disclosed the name of the petitioner and upon
search of the house, the said recovery has been made.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious



possession of the petitioner nor the petitioner has been caught from the spot from where the recovery has been made and in fact the house from where recovery has been made belongs to the co-accused person, namely, Buchiya Devi. It is submitted that the petitioner has been falsely implicated in the present case and he is languishing in custody since 1.2.2019.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. II, cum Special Judge, Excise Act, Buxar in connection with Buxar (M) P.S. Case No. 330 of 2018.

(Mohit Kumar Shah, J)

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