

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16702 of 2019

Arising Out of PS. Case No.-394 Year-2018 Thana- MITHANPURA District- Muzaffarpur

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MOHAN CHAUDHARY @ MOHAN DAS, Son of Kamaldeo Chaudhary,
Resident of Mohalla - Khadi-Bhandar Bela Road, P.S.- Mithanpura, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-03-2019 Heard learned counsel for the petitioner. No one
appears for the State.

Petitioner is seeking anticipatory bail in connection
with Mithanpura P.S. Case No. 394 of 2018 registered for the
offences punishable under Sections 420, 290 and 34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

Learned counsel for the petitioner submits that on
perusal of the FIR it would appear that the main allegation is
against one Dilip Kushwaha who is said to have informed the
police that one Mohan Das is also involved in the alleged
occurrence with him. Learned counsel submits that it is only on
the basis of this statement that the petitioner has been made



accused in the present case. There is no recovery of illicit liquor from his house. It is further submitted that the name of the petitioner is Mohan Chaudhary, but because he has been described as Mohan Das, in order to avoid defect in the stamp report, he has provided his name as alias Mohan Das.

Considering the facts and circumstances of the case whereunder the submission is that no recovery of illicit liquor has taken place from the premise of the petitioner and his name has been involved by police on the statement of the co-accused Dilip Kushwaha, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in connection with Mithanpura P.S. Case No. 394 of 2018, subject to the condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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