

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68101 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- THARTHARI District- Nalanda

BALI CHAUHAN, aged about 50 years, Male, Son of Late Shyam Lal Chauhan, Resident of Village - Kaushalaya Bigha, P.S.- Tharthari, Distt – Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Binit Kumar, Adv.
For the Opposite Party : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Tharthari P.S. Case No. 62 of 2019 registered under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the information about preparation of selling of the liquor in Kaushaliya Bigha village. The informant and other police personnel reached there. On seeing the police party four persons started to flee away, while they were chased succeeded to flee away. The local Chowkidar identified them as Bali Chauhan (petitioner), English Chauhan, Nitish Chauhan and Doman Chauhan. On search, 15 liters of country made liquor in a container, empty pot and sweet in twenty plastic gallons recovered there.



Submission is that petitioner was not apprehended on the spot, rather his and three other persons names were disclosed by the local Chowkidar in the first information report due to dirty village politics. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Tharthari P.S. Case No. 62 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge III-cum-Special Judge, Excise, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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