

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17242 of 2020

Arising Out of PS. Case No.-931 Year-2019 Thana- PHULWARISHARIF District- Patna

1. Kanhai Chauhan, Male, aged about 45 years, Son of Jeet Lal Chauhan
2. Golden Chauhan, Male, aged about 40 years, Son of Daroga Chauhan
3. Puchun Chauhan, Male, aged about 35 years, Son of Kapil Chauhan, all resident of Village - Govindpur, P.S.- Phulwarisharif, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2020 Heard the parties through the virtual court proceeding.

The petitioners apprehend their arrest in connection with Special Case No. 9018 of 2019 arising out of Phulwarisharif P.S. Case No.931 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is that 400 liters of country made wine containing in four plastic bladder lying eight bags has been recovered from the Indigo Car.

Learned counsel for the petitioners submits that there is no recovery from the conscious possession of the petitioners rather 400 liters of country made wine has been recovered from the Indigo Car. Learned counsel for the petitioners further submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners further submits that the petitioners have got no criminal antecedent. He further



submits that similarly situated co-accused have been granted bail by this Hon'ble Court vide Annexure-2 of the bail petition.

Learned A.P.P. for the State opposed the bail petition.

Petitioners are agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) each in the CM Relief Fund, bearing Account No.2065104000002257, IFSC Code: IBKL0002065, Bank – IDBI, Branch – Kidwaipuri, Patna.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each only with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.9018 of 2019 arising out of Phulwarisharif P.S. Case No.931 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000/- (Rupees Ten Thousand) each in the CM Relief Fund.

(Anjani Kumar Sharan, J)

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