

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24366 of 2020

Arising Out of PS. Case No.-407 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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GUDDU KUMAR CHAURASIYA S/o Shiv Ji Parsadi Chaurasiya @ Shivji Prasad Chaurasiya @ Shivjee Chaurasiya Resident of Village-Sareya Ward No.3, P.S.-Gopalganj, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate
Mr. Ansul, Adv.

For the Opposite Party/s : Mr. Anand Mohan Pd. Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-09-2020 Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner and Mr. Anand Mohan Pd. Mehta, Additional Public Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with Gopalganj Town PS Case No. 407/2017 registered for the offence punishable under Sections 147, 148, 149, 353, 307, 308, 420 of the IPC, 27 of the Arms Act and under Sections 30(A), 41 (1) of the Bihar Excise & Prohibition Act 2016.

The allegation against the petitioner as per First Information Report is that total quantity of 2737 litres of illicit liquor has been recovered from a truck bearing registration no. HR55-E7857 and three accused persons who were indulged in



loading of liquor were arrested by the police and other accused persons succeeded to flee away. The name of the petitioner has transpired on the basis of confessional statement of one Raja Kumar Ram @ Raja Kumar Sah.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement made by the co-accused. Learned counsel further submits that petitioner was not arrested on the spot but was remanded in the present case from Gopalganj Town PS Case No. 756/2018 on 07.03.2020 and since then, he is in custody. Learned counsel for the petitioner also submits that no illicit liquor has been recovered from the conscious possession of the petitioner and he has got no concern with the truck in question.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 07.03.2020, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will not indulge in any offence of similar nature in future.

Accordingly, let the petitioner, GUDDU KUMAR CHAURASIYA be released on bail, if he is not required in any



other case, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II- Gopalganj in connection with Town PS Case No. 407/2017.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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