

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38129 of 2020**

Arising Out of PS. Case No.-188 Year-2020 Thana- NAVINAGAR District- Aurangabad

MITHILESH CHOUHAN @ CHHOTU S/o Rameshwar Chouhan R/o
village- Shiv Sagar Tola, P.S.- Nabinagar, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Nabinagar P.S. Case No.
188 of 2020, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

70 litres of Mahua liquor has been recovered from the
forest near Shiv Sagar Tola.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner. Petitioner is in custody
since 23.08.2020 having clean antecedent.

Considering the facts and circumstances of the case,
the petitioner above-named, is directed to be enlarged on bail on



furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII-cum-Special Judge (Excise Act), Aurangabad in connection with Nabinagar P.S. Case No. 188 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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