

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8893 of 2022

Arising Out of PS. Case No.-174 Year-2021 Thana- MADHUBAN District- East Champaran

BABLOO PRASAD CHAURASIYA S/O SURENDRA PRASAD R/o
village- Bhagwanpur, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-03-2022 Heard Smt. Ranjana Srivastava, learned counsel for
the petitioner and Md. Nazir Ansari, learned A.P.P. for the State.

The present case has been taken out of turn based on the mentioning made by the learned counsel for the petitioner that the petitioner is getting married on 07.03.2022 with Beauty Kumari. Since the mentioning has been made at a stage where inquiry cannot be directed, as such the matter has been taken up on merit.

The petitioner seeks bail in connection with Madhuban P.S. Case No. 174 of 2021 instituted for the offences under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a), 32 and 41(i) of the Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 31.12.2021, is a person with clean



antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of 190.08 litres of liquor from the house of Moontun Rai.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot and his name was disclosed by the local *Chowkidaar* with whom he was on an inimical term.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 31.12.2021, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on **provisional bail** on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Special Excise Court No.2, East Champaran, Motihari in connection with Madhuban P.S. Case No. 174 of 2021.

The learned court below is directed to release the petitioner forthwith on provisional bail and thereafter to hold an inquiry as to whether the petitioner is getting married to Beauty Kumari on 07.03.2022 or not. In the event, if it is found that the



Court was misled for obtaining bail, the court below shall forthwith cancel his bail bonds and will take the petitioner back in custody.

(Satyavrat Verma, J)

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