

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31959 of 2022**

Arising Out of PS. Case No.-53 Year-2021 Thana- UPHARA District- Aurangabad

SANTOSH CHAURASIA @ SANTOSH KUMAR CHAURASIA S/o Sri
Surendra Chaurasia R/o Sekhpura, P.S.- Bandeya, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 08-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Uphara
P.S. Case No. 53 of 2021 registered for the offence under
Section 420, 467, 468 and 471 of the IPC and Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.05.2022.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there is recovery of 4800
litres of illicit country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that the petitioner implicated in the present case being owner of the alleged vehicle. It has further been submitted that nothing has been recovered from conscious physical possession of the petitioner. It has been submitted that petitioner is a man of clean antecedent. It has also been submitted that nothing surfaced during course of investigation, which may connect the petitioner with the alleged recovery of illicit liquor.

Learned APP, while opposing the prayer of bail, fairly submitted that hat the petitioner is the owner of the vehicle.

Considering the facts and circumstances as mentioned above, as alleged recovery has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Upahara P.S. Case No. 53 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – 9th – cum-Special Excise, 2nd, Aurangabad, Bihar, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial



Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Surendra Chaurasia, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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